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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

GENERAL ASSEMBLY

OF

NORTH CAROLINA,

AT ITS

SESSION OF 1869-'70.

RALEIGH:
W. A. SMITH & CO., PRINTERS, "STANDARD" OFFICE.
1870.

Hughes 3050

Burns 2717

5767 Votes

Cedar Grove

Hughes 133

Burnes 70

LIST OF MEMBERS

OF THE

HOUSE OF REPRESENTATIVES.

JOSEPH W. HOLDEN,* of Wake County, Speaker.

COUNTIES.	NAMES OF MEMBERS.	RESIDENCES.
Alamance,	J. A. Moore,	Company Shops.
Alexander,	R. P. Matheson,	Taylorsville.
Alleghany,	J. L. Smith,	Gap Civil.
Anson,	Dixon Ingram,	New Forestville.
Ashe,	M. Carson,	Scotchville.
Beaufort,	H. E. Stilley,	Washington.
Bertie,	P. D. Robbins,	Colerain.
Bladen,	F. W. Foster,	Yorkville.
Brunswick,	B. D. Morrill,	Robeson.
Buncombe,	W. G. Candler,	Hominy Creek.
Burke,	S. C. Wilson,	Morganton.
Cabarrus,	J. P. Gibson,	Concord.
Caldwell,	W. H. Malone,	Lenoir.
Camden,	W. B. Ferebee,	Elizabeth City.
Carteret,	J. H. Davis,	Beaufort.
Caswell,	W. Carey,	Anderson's Store.
	P. Hodnett,	Yanceyville.
Catawba,	J. R. Ellis,	Hickory Tavern.
Chatham,	W. T. Gunter,	Freedom Hill.
	J. B. Long,	Grove.
Cherokee,	J. R. Simonds,	Murphy.
Chowan,	Wm. A. Moore,	Edenton.
Clay,	J. O. Hicks,	Hayesville.

COUNTIES.	NAMES OF MEMBERS.	RESIDENCES.
Cleveland,	Plato Durham,	Shelby.
Columbus,	D. P. High,	Whiteville.
Craven,	A. S. Seymour,	Newbern.
	B. W. Morris,	Newbern.
	A. W. Stevens,	Bay River.
Cumberland,	J. S. Leary,	Fayetteville.
	I. S. Sweat,	Fayetteville.
Currituck,	T. C. Humphries,	Currituck C. H.
Davidson,	George Kinney,	Lexington.
	J. R. Mendenhall,	Thomasville.
Davie,	J. A. Kelly,	Mocksville.
Duplin,	N. E. Armstrong,	Hallsville.
	J. C. McMillan,	Teachey's.
Edgecombe,	H. C. Cherry,	Tarboro'.
	Geo. P. Peck,	Tarboro.
Forsythe,	J. P. Vest,	Salem.
Franklin,	J. H. Williamson,	Louisburg.
	J. T. Harris,	Pacific.
Gaston,	J. Hoffman,	Dallas.
Gates,	John Gatling,	Gatesville.
Granville,	J. W. Ragland,	Henderson.
	Cuffee Mayo,	Oxford.
	J. H. Crawford,	Henderson.
Greene,	Joseph Dixon,	Hookerton.
Guilford,	David Hodgin,	Greensboro'.
	S. G. Horney,	Westminster.
Halifax,	W. T. J. Hayes,	Halifax.
	John H. Renfrow,	Weldon.
	Ivey Hudgins,	Halifax.
Harnett,	Dr. B. C. Williams,	Chalk Level.
Haywood,	W. P. Welch,	Waynesville.
Henderson,	W. D. Justus,	Hendersonville.
Hyde,	Tilman Farrow,	Swanquarter.
Iredell,	T. A. Nicholson,	Eagle Mills.
	G. F. Davidson,	Statesville.
Jackson,	E. M. Painter,	Webster.
Johnston,	E. W. Pou,	Smithfield.
	R. B. Hinnant,	Pine Level.
Jones,	L. D. Wilkie,	Trenton.
Lenoir,	Wallace Ames,	Morganton, Burke Co.

COUNTIES.	NAMES OF MEMBERS.	RESIDENCES.
Lincoln,	A. C. Wiswall,	Lincolnton.
Macon,	J. L. Robinson	Franklin.
Madison,	G. W. Gahagan,	Marshall.
Martin,	J. J. Smith,	Jamesville.
McDowell,	W. W. Gilbert,	Rocky Pass.
Mecklenburg,	R. D. Whitley,	Hopewell.
	W. W. Grier,	Charlotte.
Mitchell,	J. W. Bowman,	Bakersville.
Montgomery,	Geo. A. Graham,	Swift Island.
Moore,	Abel Kelly,	Jonesboro'.
Nash,	W. W. Bodie,	Nashville.
New H'nover,	Geo. Z. French,	Wilmington.
	John S. W. Eagles,	Wilmington.
	Geo. W. Price, Jr.	Wilmington.
Northampton,	R C. Parker,†	Potecasi.
	J. T. Reynolds,	Murfreesboro,'
Onslow,	F. Thompson	Haw Branch.
Orange,	T. M. Argo,	Chapel Hill.
	Dr. J. J. Allison‡	Cedar Grove.
Pasquotank,	Thos. A. Sykes,	Elizabeth City.
Perquimans,	Jeptha White,	Belvidere.
Person,	S. C. Barnett,	Roxboro'.
Pitt,	Byron Laflin,	Raleigh, Wake Co.
	R. H. Hilliard,	Battleboro'.
Polk,	A. Waldrop,	Columbus.
Randolph,	E. T. Blair,	Bush Hill.
	J. Ashworth,	Asheboro'.
Richmond	R. T. Long,	Rockingham.
Robeson,	James Sinclair,	Lumberton.
	E. K. Proctor,	Lumberton.
Rockingham,	Henry Barnes,	Leaksville.
	D. S. Ellington,	Wentworth.
Rowan,	J. Hawkins,	Rowan Mills.
	I. M. Shaver,	Gold Hill.
Rutherford,	J. M. Justice,	Rutherfordton.
Sampson,	J. C. Williams,	Owensville.
Stanly,	Lafayette Greene,	Albemarle.
Stokes,	W. W. McCanless,	Danbury.
Surry,	E. L. Hendricks,	Elkin.
Transylvania,	J. W. Clayton,	Davidson River.

COUNTIES.	NAMES OF MEMBERS.	RESIDENCES.
Tyrrell, ...	Thomas J. Jarvis,..	Columbia.
Union,.....	Hugh Downing,....	Coburn's Store,
Wake, ...	S. D. Franklin,....	Raleigh.
	F. G. Moring,.....	Raleigh.
	J. H. Harris,.....	Raleigh.
	Joseph W. Holden,..	Raleigh.
Warren, ...	William Cawthorn,.	Warrenton.
	R. Falkner,.....	Warrenton.
Washington,...	J. J. Rea,.....	Plymouth.
Watauga,.....	L. B. Banner,.....	Vallecrucis.
Wayne, ...	J. T. Pearson,.....	Goldsboro'.
	D. E. Smith,.....	Dudley Depot.
Wilkes, ...	W. B. Seigrist,.....	Mulberry.
Wilson, ...	Geo. W. Stanton...	Stantonsburg.
Yadkin,.....	T. M. Vestal, ...	Yadkinville.
Yancey, ...	David Proffitt, ...	Bold Creek.

* Resigned the Speakership and his seat as Representative near the close of the session, and was succeeded, as Speaker, by W. A. Moore, of Chowan.

† Died shortly before the close of the session.

‡ Resigned during the session and was succeeded by F. N. Strudwick, of Hillsboro'.

Aug. 31st 1886

JOURANL

OF THE

HOUSE OF REPRESENTATIVES.

MONDAY, November 15th, 1869.

This being the third Monday of November,

At twelve o'clock the Speaker called the House of Representatives to order and announced that the annual session had begun.

Prayer by the Rev. Mr. Long, of the House.

By order, the roll was called.

A quorum not being present,

On motion of Mr. Argo,

The House adjourned to meet again at ten o'clock A. M., Tuesday.

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TUESDAY, November 16th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the chair.

Prayer by the Rev. Mr. Nicholson, of the House.

By order the roll was called and a quorum found present.

Mr. French presented the credentials of Mr. John S. W.

Eagles, member elect from New Hanover County, in place of Mr. Estes, resigned.

The credentials being approved,

Mr. Eagles came forward, was qualified, and took his seat.

The Speaker then congratulated the members present on their safe return, and trusted that their deliberations would redound to the benefit of the entire people of the State. He felt grateful for the support hitherto extended to him, and promised his hearty co-operation in the passage of all measures for the good of the whole people.

Mr. Hodnett moved that a message be transmitted to the Senate with information that the House was fully organized and ready for the transaction of business.

The motion prevailed.

The Senate not having convened,

On motion of Mr. Seymour, the House agreed to take a recess of fifty minutes.

The House having met again,

The Speaker announced the resignation of Edgar Miller, Principal Doorkeeper; the resignation to take effect from and after Monday next.

The following message was received from the Senate:

STATE OF NORTH CAROLINA,
SENATE CHAMBER,
Raleigh, Nov. 16, 1869.

MR. SPEAKER:

I am directed to inform you that the Senate is organized, and ready for the transaction of business.

T. A. BYRNES,
Secretary.

Also,

A message proposing to raise a joint committee of five—to consist of two on the part of the Senate and three on the part

of the House—to wait on His Excellency, the Governor, and inform him that the General Assembly was fully organized and ready to receive any communication he might have to make; and announcing Messrs. Brogden and Graham as the Senate branch of the proposed committee.

The House concurred; and

The Speaker appointed Messrs. Seymour, Gatling and Leary as the House branch of the committee; and the Senate was so informed.

The Committee having retired, after a short interval,

Mr. Seymour reported that the Committee had waited upon His Excellency, the Governor, according to instruction, and that the annual message of His Excellency would be sent to the House at half past eleven o'clock.

At the appointed time, the message was transmitted to the House by W. R. Richardson, Private Secretary to the Governor.

The message was read as follows:

EXECUTIVE DEPARTMENT,
Raleigh, Nov. 16, 1869.

To the Honorable, the General Assembly of North Carolina:

GENTLEMEN:—I congratulate you on your return to the seat of government, to resume your legislative duties. There is much important business which will claim your attention. You will doubtless proceed to the consideration and dispatch of business in a calm and dispassionate spirit, and with an eye to the good of the whole people of the State. It is made my duty by the Constitution to "give the General Assembly, from time to time, information of the affairs of the State," and to recommend such measures as I shall deem expedient. I propose to perform this duty in a plain and candid manner, with the assurance in advance that I am prepared at all times zealously to co-operate with you in all measures which you

may deem most advisable and most salutary for the State and for our common country.

STATE DEBT AND FINANCES.

The most important subject which can engage your attention is the State debt and finances.

The amount of the State debt on the 1st October, 1869, is as follows: Ante war bonds, $8,378,200. Post-war bonds, not special tax, $8,836,845; making $17,215,045. The post-war bonds are such as have been issued since the rebellion under funding acts, on such as were authorized by law before the rebellion. This debt is known as the "old debt."

Bonds issued to railroad companies, the payment of the interest on which is provided for by special taxation, are as follows: To the Williamston and Tarboro' Railroad, $300,000. To the Western Division of the Western North Carolina Railroad, $6,367,000. To the Eastern Division of said road, $273,000. To the Wilmington, Charlotte and Rutherford Road, $1,500,000. To the North-Western North Carolina Road, $1,080,000. To the Western (Coalfield) Road $1,320,000. To the Atlantic, Tennessee and Ohio Railroad, $1,760,000; making $12,600,000. Total bonded debt, $29,815,045. To this may be added of bonds not issued $4,280,000, making a total of the bonded debt and of bonds to be issued, of $34,095,045.

The interest on the special tax bonds is being paid. I regret to state that the Treasurer has been unable to meet the interest on the old bonds. It will be necessary to fund the interest due on these bonds, and it is for the General Assembly to decide for what time the interest shall be funded. The fact that the State made an effort to pay this interest and failed, certainly proves a disposition to pay; and the funding, by compounding and increasing the debt, thus adding to the burdens of the people and throwing new bonds on the market to

compete with others already sold, will greatly stimulate the disposition which exists to meet this interest.

We are able to pay the interest on the whole of this debt, and those who will come after us will be abundantly able to discharge the principal. The State of Pennsylvania, twenty-five years ago, was as much embarrassed with her debt as we are with ours, and her good name was in danger of being clouded by repudiation. But she met her responsibilities boldly and in good faith; her best men united to sustain her credit; her people submitted cheerfully to the taxation necessary for this purpose; and the result was her faith was maintained, her great resources were developed, her population increased, her wealth doubled and quadrupled, and now she would not be embarrassed with a debt of one hundred millions. North-Carolina has as many natural resources as Pennsylvania. Our debt has been incurred to improve our condition—that is, in the first place, to commence and continue certain lines of railway, and secondly, to finish these lines, as provided for in the Constitution. The amount thus expended has already been of incalculable benefit to the State. What, if the Wilmington and Weldon Railway had not been constructed? What, if no Railroad had gone to the sea from Goldsborough? What, if the Raleigh and Gaston Road had not opened the rich cotton and tobacco region from Wake, Franklin and Granville to Weldon, and thence to Petersburg and Norfolk? What, if the North-Carolina Railroad had not stretched itself out as a great life-supplying artery from Goldsborough to Charlotte? Must we pause in our career? Is not the enterprising City of Wilmington to be placed in connection with Asheville, and thence with the Mississippi valley? Must our great Western Railroad halt at Swananoa Gap, or at Asheville? No, gentlemen, *all* our great works must be completed. We must go on. We cannot recede. We must pay the interest on our bonds, and thus keeping faith and at the same time putting our bonds at such a figure as they should command, the various Railroad Companies can dispose of those they have

in hand, realize the money for them, and press their work to completion.

The present State debt should not, and, I believe, will not be increased. This is the dictate alike of justice and sound policy—justice to our creditors, and sound policy, because to increase the debt would be to oppress the people. But the debt has been honestly contracted: our bonds have been put on the market; they have been sold, and we have received the money for them, and we are bound in every way in which a State can be bound to *pay the debt.* The debt is obligatory under both the old and the new Constitutions, and it has been sanctioned, and its payment will be sustained as a sacred duty, by the Supreme Court of the State. Under the Constitution and under the decision of the Court, which is the highest known to our Constitution and laws, the whole property of the State is held to meet this debt, both new and old. Let us, then, meet it like men and North Carolinians. Let us hear no whisper even of repudiation. Let every citizen of the State resolve that nothing shall be done and nothing omitted which will cast a doubt on our purpose to pay this debt. Compared with many other States we are poor in developed resources and poor in means; but let this comparative poverty be honorable,—let us not add to it the crime of dishonesty and, by destroying our good name with our credit, cut ourselves off from all hope of improving our condition. There is great hope for us in the future; but this hope is based on our integrity as a people, and our purpose to meet all our obligations, no matter how heavy the burden may seem for the present. Repudiation would not stop with the State debt. It would extend itself to the national debt, to corporation debts, to individual debts and private contracts. There would be no confidence between man and man. The credit system would be destroyed. The result of all this would be, not only a practical loss to the people of the State of more than the amount of their present debt, but a stigma of reproach and disgrace which would cling for ages to the character of the State.

I invite your special attention to the Report of the State Treasurer, herewith transmitted. I take pleasure in bearing testimony to the able and faithful manner in which this officer has discharged his duties; and I trust your honorable body will give due weight to his suggestions and recommendations.

I respectfully recommend, first, the most rigid economy in the public expenditures; and secondly, that the Public Treasurer be relied upon by your honorable body to manage the financial concerns of the State in such manner as he may deem best, under your direction.

PUBLIC INSTRUCTION.

Your attention is invited to the Report of the Superintendent of Public Instruction, with accompanying documents, herewith transmitted. That officer, and his assistant, the Rev. S. W. Hood, have been active, zealous, patient and faithful in their responsible duties, and deserve therefor the thanks of the people of the State.

The system of public schools contemplated by the Constitution, and provided for by law, is nearly ready to go into operation. In most of the counties the requisite school officers have been elected and qualified. Teachers will be engaged and schools opened whenever township and county authorities are notified of the apportionment of the school money, which has just been made for the ensuing year by the Superintendent of Public Instruction, to the amount of $165,290.50. A few schools have already commenced. The General Assembly, at its last session, appropriated $100,000 for school purpurposes, which sum is to be added to the capitation tax and apportioned among the counties of the State. The census of 1868, which was taken by the County Commissioners by direction of the Board of Education, shows that the school money must be distributed among 330,581 children. The amount of the capitation tax cannot be determined until the final returns of the Sheriffs on the 1st of next month.

I can not too earnestly urge on the General Assembly the importance of sustaining the free public schools. Every hope for free government depends on the education of the masses. Taxes for such a purpose should be cheerfully paid. This is a subject upon which all can agree. We can all unite in earnest efforts to educate the rising generation, and thus make the State powerful and respected through the intelligence and general knowledge which will characterize its people.

The Swamp Lands vested in the Board of Education, still remain unsold and unproductive. It is recommended that the Board of Education be authorized to dispose of these lands. If the Board should be authorized to offer them for sale in parcels, or in a body, inquiry concerning them will be stimulated, and advantageous sales may be effected.

The University of the State claims the special attention and is entitled to the fostering care of the General Assembly. There is now at Chapel Hill a Faculty consisting of a President and four Professors, who are able and experienced teachers. The establishment of schools or colleges, implied in the University system, will require the appointment of several additional Professors. A complete University should at once be organized. The Constitution contemplates a University, which is an assemblage of colleges, and not simply a college; and in such a University every thing should be taught which will fit the students for the varied callings and employments of life.

The Trustees of the University will organize the colored department as rapidly as their means will permit. This department is not only a matter of justice, but of necessity. Our colored fellow-citizens are entitled in proportion to their number to equal consideration in this respect with the white, and I am sure the General Assembly will make as thorough provision for the former as for the latter.

The proceeds of the land scrip donated by the general government to the State, and given by the State to the University to establish an agricultural college, have been received by

the Trustees and invested in State bonds. The amount invested is $254,000, which will yield annually $15,140. This income must be appropriated to a department of agriculture and the mechanic arts, and will not, therefore, afford any support to the University proper. The investment in State bonds has doubled the fund, which is so much clear gain to the State and to the cause of learning.

The Board of Education, by authority of law, has disposed of its stock in the Wilmington and Weldon Road, and the Wilmington and Manchester Road. The amount received for this stock was $158,000. This amount has also been invested in State bonds, and is now $454,000, yielding an annual income of $27,240. The amount originally invested in these roads, of the deposit money from the general government in 1836, was $600,000, for and in behalf of the Literary Fund of the State. Under the present Constitution these stocks were vested in the Board of Education; and the amount thus realized for them does not fall very far short of the original investment, while the income is larger and more certain than it was at any period from the corporations referred to.

I can not close this part of my message without earnestly appealing to the General Assembly to aid the Trustees in sustaining the University. This time-honored institution should not, in any event, be neglected. Our young men should be educated at home. To provide for this in a manner every way suitable and proper should be a leading object with the General Assembly, as it is with the Trustees of the institution.

INTERNAL IMPROVEMENTS.

I do not deem it necessary to repeat the views expressed in my last annual message on the subject of internal improvements. The whole people of the State are committed in principle, in interest and in feeling to the various works, whether completed or in course of construction. All the completed works are paying expenses, and one of them, at

least, in which the State is largely interested, gives promise of a handsome dividend.

The North-Carolina Railroad, extending from Goldsborough to Charlotte, is the most important work in the State. With the Atlantic Road from Morehead City to Goldsborough, and the Western Extension from Salisbury to Paint Rock, it will constitute a trunk line from one of the finest harbors on our coast to lines of railway connected with the Mississippi valley and the Pacific coast. With the Raleigh and Gaston Road from Raleigh to Weldon, it will afford the same path for travel and freight from the Pacific coast and the Mississippi valley to Norfolk, and the markets of the world. United with the Wilmington, Charlotte and Rutherford Road at Charlotte, and the latter with the Western Extension at Asheville, a channel of communication will be opened from Wilmington to Asheville and Paint Rock, and thence with the Great West and the Pacific coast, which will benefit immeasurably the region through which these lines will run, and add constantly and permanently to the prosperity and wealth of Wilmington. The Fayetteville or Coalfields Road is on the way to Greensborough, or Salisbury, or some intermediate point on the North-Carolina Road; while the Northwestern Road from Greensborough to Salem and Mount Airy, will in due time pour the rich products of the Yadkin into the North Carolina Road. This latter road is, indeed, the "*North-Carolina* Road." Its management by its President, Mr. Smith, and the Board of Directors, has been able and efficient. Its debt has been reduced, its condition in every respect has been improved, and it is believed it will be able at the next annual meeting of the stockholders to declare a handsome dividend. I doubt the policy of leasing or selling this road. At a meeting of the stockholders of this road, held in Raleigh on the 11th instant, to consider propositions to lease it for a term of years, I felt it to be my duty to announce through the State proxy that I was opposed to leasing it to any parties whatsoever. I pursued this course in the absence of instructions from the General

Assembly. While your honorable body would have no power to direct a lease against the wishes of the private stockholders, whose rights are secured by the charter, yet any opinion you might be pleased to express in the name of the people on the subject, whether for or against a lease, would have great weight with the Executive and the private stockholders.

THE MILITIA—LAW AND ORDER.

Attention is invited to the Report of the Adjutant General, herewith submitted. This officer has performed his duties faithfully. I trust his suggestions will meet the approval of the General Assembly.

Under the present militia law the Executive is comparatively powerless to enforce the laws. These laws should be amended, so as to give the Executive the authority to embody promptly such a militia force as will enable him to repress violence in certain localities and maintain the peace.

Numerous complaints have been made to me of violence and mob law in certain counties, by parties who ride at night, armed and disguised, and assume the right to regulate neighborhoods by injuring, insulting and punishing inoffensive white and colored persons. There is no safety for any citizen outside the law. The civil law must be maintained. Men who put on disguises, and ride at night and break open houses, and molest, terrify or injure peaceable citizens, should be seized and punished. They are neither good citizens nor honest men. They are ready at any moment to act the part of outlaws and murderers; indeed, by thus disguising themselves and using deadly weapons to execute their purposes, or to sate their feelings of resentment and vengeance on any portion of the people, they proclaim themselves outlaws and enemies to society, and should be dealt with accordingly. Secret political organizations have existed, and will exist always. Whatever we may think of such organizations, or however we may regret the necessity for them, it is not to be expected that we can get

rid of them. They are comparatively harmless as long as they are pacific, and do not infringe the rights of others. But when they resolve themselves into military organizations, and take arms, under whatsoever pretext, to regulate neighborhoods and to dispense and execute such law as may be conceived only by themselves, they become dangerous to society, and all good citizens should unite to put them down. In a matter so grave as this, involving as it does life and property, there should be no party feeling. I can not believe that any party in this State countenances or would uphold these midnight marauders, who go masked like cowards, the better to conceal themselves in their nefarious work and to escape the detection and punishment they deserve. Least of all can I believe that any brave Confederate soldier, who retired from the army and submitted in good faith to the authority of the nation, would unite himself with such men, and thus bring disgrace on himself, his family and friends.

I trust the General Assembly will at once so amend the militia law as to authorize the Governor to call out for active service as many substantial white citizens as may be necessary in an emergency to enforce the law and to put down these midnight marauders. It would not be advisable to employ colored militia only in certain localities for this purpose. The outrages referred to are confined almost exclusively to counties in which the white and colored populations are about equal in number, or in which the whites have a small majority. To call out the colored militia alone in these counties would be unjust to the colored race, and would give a pretext for increased exasperation among certain whites against the colored people; but as the law now is, any one who may be ordered to perform service in the Detailed Militia may pay two dollars for exemption therefrom and evade service, thus imposing the burden on volunteers, or on such as can not pay that amount.

It is to be regretted that the army of the United States has been so reduced by the action of Congress that a larger num-

ber of federal troops can not be spared at all times for this State. The presence of a regiment of infantry, and four companies of cavalry, stationed at different points, would have a most salutary effect in repressing these outrages and maintaining the peace. It is not doubted, however, that, in an emergency, any number of federal troops that might be required would be promptly furnished. No "war of races," as it is called, will be permitted in this country. No organized resistance to established authority would for a moment be tolerated. The national government, strong to protect and jealous of the rights and liberties of those who are supremely attached to it, is over all, and would not be slow in an emergency to vindicate its power, and to visit with condign punishment the insubordinate, the treacherous and the guilty.

IMMIGRATION AND AGRICULTURE.

Attention is especially invited to that portion of the report of the Secretary of State, herewith transmitted, in relation to these subjects.

Every proper and judicious effort should be made by the State to promote immigration. No region of the earth can offer a better climate, or more varied or valuable natural resources than can be found in North Carolina.

Our agriculture, though it has improved in some respects since the close of the rebellion, is still in a languishing condition. This is a subject of primary importance. I am gratified to state that the late State Fair exhibited decided indications of improvement and advancement in agriculture and the mechanic arts. I trust the General Assembly will liberally foster the State Agricultural Society, and the district and county societies, as affording the best means to stimulate production of all kinds. With energy, industry, and well directed labor and economy, we have much to hope for in the future; and if we are true to ourselves, and improve as we should the natural advantages which Providence has bestowed

upon us, the day is not distant when the State will be richer, more prosperous and more enlightened than at any former period.

GEOLOGICAL SURVEY.

This survey, by the able State Geologist, Prof. W. C. Kerr, is still progressing in a satisfactory manner. The best interests of the State require that Prof. Kerr should be encouraged and sustained in this indispensable and valuable work.

THE PENITENTIARY.

The Commissioners appointed for this purpose have chosen a site near the city of Raleigh, which is believed to be every way fit and advantageous, and they are pressing the work with commendable skill, dispatch and economy. It is believed the stockade and the necessary buildings for the officers and convicts will be ready by the first day of January next, at which time the counties will experience much relief in sending their State prison convicts to the penitentiary. The report of the Commissioners will show in detail what they have done, and what will be required during the ensuing year to carry on the work.

THE INSANE ASYLUM.

The report of the Superintendent, Dr. Eugene Grissom, will show the condition of this institution. Many important improvements in the machinery, buildings and grounds have been made during the past year. But the institution is crowded with the unfortunate, and there is an urgent claim on the humanity and benevolence of the State for considerable additions to the present buildings, or for another Asylum, to provide for a large number of insane who are now uncared for. Some such provision should be made, but it is for the General Assembly to decide whether additions should be made to the present buildings in Raleigh, or whether another

Asylum should be erected elsewhere. I recommend that a liberal appropriation be made for the support of the Asylum for the ensuing year, and also for furnishing that building in a proper manner. I can not too highly commend the Superintendent for the ability and fidelity which he has exhibited in the performance of his duties.

THE DEAF AND DUMB AND BLIND.

It will be seen from the report of the Superintendent, W. J. Palmer, Esq., that this institution is in a prosperous condition. For the session ending June 30, 1869, there were 154 pupils in attendance, 126 white and 28 colored, being an increase of 50 over the previous session. Attention is invited to the report of the Superintendent. His suggestions as to improvements for the better accommodation of these children are entitled to consideration. He has been zealous and indefatigable in the performance of his duties, and should be promptly and liberally sustained in his efforts to educate and improve the condition of those committed to his charge.

BOARD OF PUBLIC CHARITIES.

The Board of Public Charities, consisting of Drs. E. Grissom, William Barrow and G. W. Blacknall, Messrs. G. W. Welker and G. W. Gahagan, has organized by the appointment of Mr. G. W. Welker, President, and W. J. Palmer, Secretary. They are making diligent inquiries into the condition of the prisons and poorhouses of the State, and the number of insane, and other afflicted, and at a proper time will present a report to your honorable body.

DEPARTMENT REPORTS.

I transmit herewith the reports of the Auditor, the Superintendent of Public Works, and the Attorney General. These documents contain valuable information and suggestions, to which I invite your attention. These officers, with others

referred to elsewhere, have been assiduous and faithful in the discharge of their respective duties.

FEDERAL RELATIONS.

The most cordial relations continue to subsist between the government of the United States and the government of North-Carolina.

The administration of President GRANT is receiving the approval of a large majority of the American people. The honesty and economy by which it is characterized, and its success in maintaining the plighted faith of the nation on its bonds, while it is constantly reducing the national debt, entitle it to the special commendation and support of all good citizens.

I regret to state that the fifteenth amendment, under which every man would be entitled to vote in every State, is not yet a part of the Constitution of the United States. This measure of justice will yet prevail. The colored man in Ohio or Illinois should have the same right to vote that the colored man has in North-Carolina; and justice will not be done, and the Union will not have been reconstructed on an enduring basis, until this right is secured by the Federal Constitution itself, so as to place it beyond any changes that may occur either in popular opinion or in the administration of the different State governments.

By the fourteenth amendment to the Constitution of the United States certain persons in the recently insurgent States are debarred the privilege of holding office at the hands of their fellow-citizens; but the Congress may, at pleasure, remove such disability. There are many citizens of States which did not engage in rebellion, who are technically exempt from this disability, but who were not more loyal to the government, and are not now more loyal than many citizens of this Sate, who are only technically excluded from holding office. I am not able to perceive that a citizen of a State that did not engage in rebellion who sympathized with the pretended Confederacy

and did all he could to discourage volunteering and to paralyze the national arms, is more loyal or more deserving of consideration than the Southern Unionist who occupied some small office, not with a view to aid the rebellion, but merely to escape conscription. There are several thousands of persons in this State of the latter class, who were at one time supremely attached to the national government, and who endeavored in every conceivable way to avoid fighting against the government of the United States, but who are now soured and distressed, because, by the fourteenth amendment the very means they adopted to avoid doing violence to their judgments and consciences have been used to exclude them from office. Every citizen of this class, and every loyal citizen, is entitled to be at once relieved by the Congress. There are several thousands of others in the State, who are either indifferent to the government or opposed to the acts of Congress by which the State was reconstructed. These persons have been sorely punished for their acts of rebellion. Even if disposed to thwart the action of the federal or State governments, they are powerless to do so. They are chafed by the reflection that their former slaves can hold office, while they are excluded, and this reflection is magnified in their minds into the belief that the national government is disposed to pursue and punish them, simply because they had taken an oath to support the Constitution of the United States before they engaged in rebellion, while the obligation to support that instrument was equally binding upon all, and thousands upon thousands who never took that oath, but who were as deeply and as bitterly immersed in the rebellion as they were, are not banned or excluded. The nation can afford to be magnanimous. After nine years of rebellion, and strife, and civil discord, and social disruption and bitterness, a very large majority of the people of North Carolina long for peace, and harmony, and good will, and security for life and property. But this matter is in the hands of Congress. The States have no control over it. Let the nation show its power every where to maintain the laws,

to punish those who may resist its authority, and to sustain the reconstructed States in securing to their citizens as thorough freedom, and as profound peace and quiet as exist in other States; but if it at the same time exhibit that magnanimity and mercy towards all, which, after nine years of conflict, and strife and ill-will, would so admirably grace the freest, the proudest and the greatest people on the face of the earth.

In conclusion, gentlemen, allow me to say that I trust your deliberations will result in good to the whole people of the State. Let our trust be in God, who governs absolutely in the affairs of nations, that He will overrule all our councils for good, and that He will shower his choicest blessings on our beloved State.

W. W. HOLDEN,
Governor.

On motion of Mr. French,

The message and accompanying documents were sent to the Senate with a proposition to have printed twenty copies for the use of each member.

Mr. Seymour introduced

A resolution providing against any further increase of the State debt;

Also,

A resolution maintaining the honor and good faith of the State and the inviolability of the State debt.

On motion of Mr. Downing,

The resolutions were ordered to be printed.

Mr. Pou introduced

A resolution concerning the removal of political disabilities from certain citizens.

Ordered to be printed.

Mr. Malone introduced

A resolution requesting the Public Treasurer to report to the General Assembly the number of bonds issued to Railroad Companies of the State.

Laid over.

Mr. Ingram introduced

A resolution concerning the removal of political disabilities.

Laid over.

On motion of Mr. Harris, of Wake,

The resolution introduced by Mr. Malone concerning the Public Treasurer was taken up under a suspension of the rules, and

The resolution was adopted.

Mr. Price introduced

A resolution requesting the North-Carolina Representatives in Congress to use their influence for the recognition of the belligerent rights of Cuba by the National Government.

Laid over.

Mr. Malone introduced

A bill to require the Justices of the Peace and Clerks of Townships to give bonds.

Referred to the Judiciary Committee.

Mr. Mendenhall introduced

A resolution reducing *per diem* of members and officers of the General Assembly.

Laid over.

Mr. Reynolds introduced

A bill to compensate School Committees.

Referred to the Committee on Education.

On motion of Mr. Sinclair,

The House then adjourned, to meet again at half past ten o'clock, Wednesday.

WEDNESDAY, November 17th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the chair.

Prayer by the Rev. Mr. Shaver, of the House.

A message was received from the Senate with information that that body had concurred in the proposition to print twenty copies of the Governor's message for each member of the General Assembly.

Mr. Hodgin introduced

A resolution in favor of Robert M. Stafford.

Referred to the Committee on Finance.

Also,

A resolution in regard to reorganizing the standing committees.

Laid over.

Mr. Vestal introduced

A resolution in regard to the special tax on brandy.

Also,

A resolution in regard to *per diem*.

Laid over.

Mr. French introduced

A resolution to amend the rules of the House.

Mr. French moved that this resolution be referred to a special committee of three.

The motion prevailed, and the Speaker appointed the following named gentlemen to constitute the committee:

Messrs. French, Ellis and Mendenhall.

Mr. French introduced

A resolution providing for a contingent fund.

Referred to Committee on Finance.

Mr. Malone introduced

A resolution instructing the Judiciary Committee to report a bill for the modification of existing laws allowing stationery to certain officers.

Referred to Committee on Salaries and Fees.

Mr. Argo introduced

A bill to compel the return of certain bonds into the Treasury.

Laid over.

Mr. McCanless introduced

A bill to require defendants in an action for the recovery of real estate to file a bond for costs.

Referred to the Judiciary Committee.

Mr. Harris, of Wake, introduced

A bill for the suppression of outrages committed by disguised persons.

Ordered to be printed, and

Referred to the Judiciary Committee.

Mr. Hayes introduced

A bill for the relief of Hardie Lynch.

Referred to the Committee on Propositions and Grievances.

Mr. Leary introduced

A bill to amend section 485, chapter 12, title 19, of the Code of Civil Procedure.

Referred to the Judiciary Committee.

Mr. Gunter introduced

A bill for the relief of the Sheriff of Chatham County.

Laid over.

Mr. Malone introduced

A bill to amend section 13 of an act entitled "An act to suspend the Code of Civil Procedure in certain cases."

Referred to the Judiciary Committee.

On motion of Mr. Ellis,

The bill introduced by Mr. Argo was ordered to be printed.

Mr. Price introduced

A bill to amend chapter 3, title 20, of the Code of Civil Procedure.

Referred to the Judiciary Committee and ordered to be printed.

A resolution maintaining the honor and good faith of the State and the inviolability of the public debt, was

Made special for Friday next.

A message was received from the Senate transmitting

A resolution of respect to the memory of Hon. James W. Osborne.

After the usual eulogies incidental to the occasion,

On motion of Mr. Whitley

The House concurred in the passage of the resolution; and

On motion of Mr. Whitley,

The House adjourned to meet again at eleven o'clock on Friday.

FRIDAY, November 19th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Long, of the Senate.

Leave of absence was granted Mr. Downing for one week from the 20th instant.

Mr. Hodnett presented

A report of survey from the Commissioners of the county of Caswell.

Referred to the Committee on Counties and Townships.

Mr. French, from the special committee of three, to whom was referred "A resolution to amend the rules of the House," submitted

A report recommending amendments to sections 18, 38 and 42 of the present rules.

On motion of Mr. Hodgin,

The report was concurred in, and the rules, as amended, ordered to be printed.

Mr. Mendenhall, from the Committee on Education, to whom was referred "A bill to compensate School Committees," reported the same favorably with amendments.

Laid over.

Mr. Welch introduced

A resolution appointing a committee to investigate frauds in the management of certain Railroad bonds.

Ordered to be printed, and

Laid over.

Mr. Ragland introduced

A resolution of instruction to the Judiciary Committee.

Laid over.

Mr. French introduced

A resolution directing the Public Treasurer to refund [to Henderson & Ennis] the sum of seventy dollars.

Laid over.

Mr. Malone introduced

A resolution authorizing a Convention of the people to form a new Constitution.

Referred to the Committee on Proposition and Grievances.

Mr. Harris, of Wake, introduced

A bill to repeal sections 56, 57, 58, 59, 60, 61 and 62, of chapter 270, of the laws passed at the session of the General Assembly of 1868–'69, &c.

Ordered to be referred to a Special Committee of three, to be appointed by the Speaker, and

Ordered to be printed.

Mr. White introduced

A bill to amend an act entitled "An act to lay off the homestead and personal property exemption."

Referred to the Judiciary Committee.

Mr. Justice, of Rutherford, introduced

A bill authorizing the Public Treasurer to pay *per diem* and mileage; which

Passed its several readings under a suspension of the rules.

A message was received from the Governor, transmitting

A communication from the Auditor of Public Accounts in relation to auditing the claims of members in regard to mileage and *per diem*.

Read and ordered to be sent to the Senate.

A resolution authorizing the Speaker to reconstruct standing committees was taken from the calendar and

Adopted.

By leave,

Mr. Harris, of Wake, withdrew "A bill for the suppression of outrages committed by disguised persons."

Mr. Ferebee introduced

A bill to extend the time for final settlement of the Sheriffs of the several counties of the State with the Public Treasurer.

Laid over.

Mr. Smith, of Alleghany introduced

A bill to change the line between the counties of Surry and Alleghany.

Also,

A bill to change the line between the counties of Wilkes and Alleghany.

Referred to the Committee on Counties and Townships.

Mr. McCanless introduced

A bill to prevent the felling of trees into the waters of Town Fork creek.

Mr. Vest introduced

A bill to compel Sheriffs to pay over taxes.

Referred to the Judiciary Committee.

A resolution maintaining the honor and good faith of the State and the inviolability of the public debt was taken from the calendar.

Mr. Malone offered an amendment to the third section of the bill.

Mr. Ellis offered an amendment to the first section of the bill.

Mr. Pou offered a substitute for the whole; and

On motion of Mr Pou,

The resolution, with pending amendments, was

Made special for Monday next at 11 o'clock.

A message was received from the Senate transmitting

A bill to repeal an act concerning Fisheries in Carteret county.

Laid over.

A resolution concerning the removal of political disabilities

from certain citizens of the State was taken from the calendar.

Mr. Malone offered an amendment to the bill; when

On motion of Mr. Sinclair,

The matter was made special for Tuesday next at 12 o'clock.

A bill to compel the return of certain bonds into the Treasury, was taken from the calendar.

Mr. Welch offered an amendment to section first of the bill, when

On motion of Mr. Downing,

The matter was made special for Tuesday week at twelve o'clock.

Mr. Justice, of Rutherford, introduced

A bill to fix the compensation of the County Treasurers of the State.

Ordered to be printed and referred to the Committee on Salaries and Fees.

A resolution instructing the Judiciary Committee to report a bill for the modification of existing laws allowing stationery to certain officers was taken from the calendar, and

Adopted.

A resolution reducing *per diem* of members and officers of the General Assembly was taken from the calendar.

Mr. Proctor moved to lay the resolution on the table.

On this motion,

Mr. Blair called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Barnes, Carson, Carey, Cawthorn, Cherry, Eagles, Ellington, Forkner, Franklin, Harris of Franklin, Hayes, Hudgings, Long of Chatham, Mayo, Morrill, Price, Proctor, Rentrow, Robbins, Sinclair, Sweat and Wilson—22.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Blair, Boddie, Candler, Clayton, Davidson, Durham, Ellis, Farrow, Ferebee,

Foster, French, Gahagan, Gatling, Gibson, Gilbert, Green, Grier, Harris of Wake, Hawkins, Hendricks, Hicks, Hinnant, Hodgin, Hodnett, Hoffman, Humphries, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Richmond, Malone, McCanless, Mendenhall, Moore of Alamance, Morris, Nicholson, Painter, Parker, Pearson, Pou, Ragland, Robinson, Reynolds, Seymour, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Wayne. Snipes, Stanton, Sykes, Thompson, Vestal, Vest, Waldrop, White, Whitley and Wiliams of Harnett—68.

Mr. Vest offered

A substitute for the whole.

Mr. Hodgin offered an amendment to the substitute; when,

On motion of Mr. Harris, of Wake, the matter was postponed for two weeks.

Mr. Vest moved that the House proceed to the election of a Principal Doorkeeper, vice Edgar Miller resigned; when

On motion of Mr. Stevens,

The House adjourned to meet again at 11 o'clock, Saturday.

SATURDAY, November 20th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the chair.

Prayer by the Rev. Ira T. Wyche.

A message was received from the Governor, transmitting from the Trustees of the University,

A plan for the government of the University.

Read and endorsed and sent to the Senate.

Mr. Smith, of Alleghany, presented

A petition from a portion of the citizens of Surry and Alle-

ghany counties in relation to changing the line between said counties.

Referred to the Committee on Counties and Townships.

Mr. Hodgin, from the Finance Committee, to whom were referred "A bill for the relief of the Sheriff of Chatham County," and "A resolution in favor of Robert M. Stafford," reported a substitute for the two, which was laid over.

Mr. Seymour, from the Committee on Judiciary, to whom was referred "A bill to amend section 485, chapter 12, title 19, of the Code of Civil Procedure," reported the same favorably.

Laid over.

A message was received from the Senate transmitting

A resolution requesting an opinion of the Chief Justice and Associate Justices of the Supreme Court.

Laid over.

A bill to amend section 485, chapter 12, title 19, of the Code of Civil Procedure was taken from the calendar under a suspension of the rules.

Mr. Parker moved to amend by striking out in section first the word "eighteen" and inserting in lieu thereof the word "seventeen."

Adopted.

The bill, as amended, then passed its second and third readings.

A bill to compensate school committees was taken from the calendar.

The question being on the amendment offered by the Committee on Education,

The amendment was adopted.

Mr. Vestal moved to amend further by striking out in section first the words "two dollars and fifty cents" and inserting in lieu thereof the words "one dollar."

Pending which,

On motion of Mr. Durham,

The bill was referred to Committee on Salaries and Fees.

Mr. Ashworth introduced

A bill to incorporate the Randolph Manufacturing Company.

Referred to the Judiciary Committte.

Mr. Sinclair introduced

A resolution of respect to the memory of Ex-Gov. Jonathan Worth, and obtained thereon a suspension of the rules.

Mr. Ashworth moved to amend the resolution so as to adjourn the House at one o'clock.

Adopted; and

The resolution as amended was adopted.

Mr. Malone introduced

A resolution instructing the Secretary of State to report the amount paid for stationery under existing laws, since the new Constitution went into effect, and obtained thereon a suspension of the rules.

Mr. Stevens moved to amend by striking out, in section 1st, the words "if any."

On this motion,

Mr. French called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Crawford, Eagles, Forkner, Hays, Hendricks, Hudgings, Justice of Rutherford, Mendenhall, Pearson, Seymour, Smith of Martin, Stevens and Vest—14.

Those who voted in the negative were,

Messrs. Blair, Boddie, Candler, Clayton, Davidson, Ellis, Farrow, Ferebee, French, Gahagan, Gibson, Gilbert, Green, Gunter, Hawkins, Hilliard, Hinnant, Hodnett, Humphries, Ingram, Justus of Henderson, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Moore of Alamance, Morrill, Painter, Parker, Proctor, Ragland, Rentrow, Robbins, Robinson, Shaver, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Wayne, Stanton, Thompson, Vestal, Waldrop, Welch, Whitley, Wilkie, Williams of Harnett, Williamson and Wilson—53.

The question recurring on the adoption of the resolution, the same was

Adopted.

The Speaker announced the following named gentlemen to constitute a special committee of three to consider and report upon A bill to repeal sections 56, 57, 58, 59, 60, 61 and 62 of chapter 270 of the laws passed at the session of 1868–'69, entitled "An act concerning the powers and duties of State officers:"

Messrs. Whitley, Harris of Wake, and Barnes.

Mr. Vestal moved that the House proceed immediately to the election of a Principal Doorkeeper *vice* Edgar Miller, resigned.

On this motion

Mr. French called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Candler, Carson, Clayton, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Gilbert, Green, Grier, Harris of Franklin, Hawkins, Hendricks, Hicks, Hilliard, High, Hinnant, Hodnett, Hoffman, Humphries, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Long of Chatham, Malone, Matheson, McCanless, Mendenhall, Moore of Alamance, Nicholson, Painter, Parker, Pearson, Pou, Robinson, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Thompson, Vestal, Welch, Whitley and Williams of Harnett—59.

Those who voted in the negative were,

Messrs. Carey, Cawthorn, Cherry, Crawford, Eagles, Forkner, Foster, Franklin, French, Gahagan, Gunter, Harris of Wake, Hayes, Hodgin, Hudgings, Ingram, Kinney, Laflin, Leary, Mayo, Morrill, Morris, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Stevens, Sykes, White, Wilkie, Williamson and Wilson—37.

Mr. Harris, of Wake, moved to adjourn, and on this motion called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Carey, Cawthorn, Cherry, Crawford, Downing, Eagles, Forkner, Franklin, French, Gahagan, Gunter, Harris of Wake, Hayes, Hudgings, Laflin, Long of Chatham, Mayo, Morrill, Morris, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Stevens, Sykes, White, Wilkie and Williamson—33.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carson, Clayton, Davidson, Durham, Ellis, Farrow, Ferebee, Foster, Gibson, Gilbert, Green, Grier, Harris of Franklin, Hawkins, Hendricks, Hicks, Hilliard, High, Hinnant, Hodgin, Hodnett, Hoffman, Humphries, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Leary, Malone, Matheson, McCanless, Mendenhall, Moore of Alamance, Nicholson, Painter, Parker, Pearson, Pou, Robinson, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Thompson, Vestal, Welch, Whitley, Williams of Harnett, and Wilson—59.

Mr. Leary moved a reconsideration of the vote by which the House refused to adjourn.

Mr. Ellis moved to lay this motion on the table.

On this motion

Mr. Proctor called for the yeas and nays.

The call being sustained,

The motion to table prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Candler, Carson, Clayton, Durham, Ellis, Farrow, Ferebee, Gibson, Gilbert, Grier, Harris of Franklin, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Humphries, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore,

Matheson, McCanless, Mendenhall, Moore of Alamance, Nicholson, Painter, Parker, Pou, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Thompson, Vestal Welch, Whitley, Williams of Harnett and Wilson —50.

Those who voted in the negative were,

Messrs. Carey, Cawthorn, Cherry, Crawford, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Gunter, Harris of Wake, Hayes, Hudgings, Ingram, Kinney Laflin, Leary, Long of Chatham, Mayo, Morrill, Morris, Pearson, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Seymour, Simonds, Stevens, Sykes, White and Williamson—35.

Mr. Foster moved to adjourn, and on this motion called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Carey, Cawthorn, Cherry, Crawford, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Gunter, Harris of Wake, Hayes, Hoffman, Hudgings, Justice of Rutherford, Kinney, Laflin, Leary, Long of Richmond, Mayo, Morrill, Morris, Pearson, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Stevens, Waldrop, White, Wilkie, Williamson and Wilson—41.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Blair, Boddie, Candler, Carson, Clayton, Durham, Ferebee, Gatling, Gibson, Gilbert, Harris of Franklin, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Humphries, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, McCanless, Mendenhall, Moore of Alamance, Nicholson, Painter, Parker, Pou, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Thompson, Vestal, Welch, Whitley and Williams of Harnett —45.

Mr. Price moved a reconsideration of the vote by which the House agreed to adjourn at one o'clock.

The Speaker ruled this motion out of order.

Mr. Seymour appealed from the decision of the Chair, and called for the yeas and nays.

The call being sustained,

The decision of the Chair was sustained by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Candler, Carson, Carey, Cawthorn, Clayton, Crawford, Durham, Eagles, Ellis, Ellington, Ferebee, Forkner, Foster, Franklin, French, Gahagan, Gatling, Gibson, Gilbert, Green, Grier, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hayes, Hendricks, Hicks, High, Hinnant, Hodnett, Humphries, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Laflin, Leary, Long of Chatham, Malone, Matheson, Mayo, McCanless, Mendenhall, Moore of Alamance, Morrill, Morris, Nicholson, Painter, Parker, Pearson, Pou, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Shaver, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sykes, Thompson, Vestal, Waldrop, Welch, White, Whitley, Williams of Harnett, Williamson and Wilson—90.

Those who voted in the negative, none.

Mr. Harris, of Wake, moved that the House take a recess of four minutes, and on this motion called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Carey, Cawthorn, Cherry, Crawford, Eagles, Forkner, Foster, Gahagan, Harris of Wake, Hayes, Mayo and Ragland—12.

Those who voted in the negative were,

Messrs. Ashworth, Banner, Barnes, Blair, Boddie, Candler, Carson, Clayton, Durham, Ellis, Ferebee, Franklin, French, Gibson, Gilbert, Green, Grier, Gunter, Harris of Franklin,

Hawkins, Hendricks, Hicks, Hilliard, High, Himant, Hodgin, Hodnett, Humphries, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Malone, Matheson, McCanless, Mendenhall, Moore of Alamance, Morrill, Morris, Nicholson, Painter, Parker, Pearson, Price, Proctor, Rea, Renfrow, Robbins, Robinson, Reynolds, Siegrist, Smith of Alleghany, Smith of Martin, Stevens, Thompson, Vestal, Waldrop, Welch, White, Whitley, Williams of Harnett, Williamson and Wilson—66.

The hour of one o'clock having arrived,

The Speaker declared the House adjourned until Monday next, at eleven o'clock.

MONDAY, November 22nd, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Atkinson, of the city.

Mr. Vest presented

A petition in favor of George Heine, a citizen of Forsyth County.

Referred to the Committee on Propositions and Grievances.

Mr. Reynolds offered,

A resolution providing for the meeting of the House at 10½ o'clock, A. M., each day, and obtained thereon a suspension of the rules.

Mr. Welch moved to amend the resolution by striking out "10½" and inserting in lieu thereof "10."

The amendment was adopted; and

The resolution, as amended, was adopted.

Mr. Ellis introduced

A resolution asking our representatives in Congress to use their influence for the total abatement of the direct tax on real estate.

Laid over.

Mr. Malone introduced

A resolution requesting the opinion of the Attorney General of the State on the legal construction of article 10 of the Constitution, in regard to the "Homestead," &c.

Laid over.

Mr. Ingram introduced

A bill to provide for filling vacancies in the Townships of the several counties.

Referred to the Judiciary Committee.

Mr. Morris introduced

A bill to incorporate the Young Men's Intelligent and Enterprising Association.

Referred to the Committee on Corporations.

Mr. Hodnett introduced

A bill to repeal tax on tobacco.

Referred to the Committee on Propositions and Grievances.

Mr. Painter introduced

A bill to amend an act entitled "An act relative to the issuing of bonds for the county of Jackson."

Referred to the Committee on Counties and Townships.

Mr. Stevens introduced

A bill to authorize the Commissioners of Craven county to levy a special tax for the purpose of building bridges across the Neuse and Trent rivers.

Referred to the Committee on Proposition Grievances.

Mr. Vestal introduced

A bill to change the fees of witnesses.

Laid over.

Mr. Snipes introduced

A bill authorizing Geo. W. Wynne, former Tax Collector

for the county of Hertford, to collect arrears of taxes for the year 1867.

Laid over.

Mr. Hinnant introduced

A bill to amend an act entitled "An act to prevent the obstruction of fish in Little river, to K. B. Whitley's mills, in Johnston county."

Laid over.

Mr. Moore, of Alamance, introduced

A bill concerning Public Roads and Bridges.

Referred to the Committee on Counties and Townships.

Mr. French gave notice that he would introduce a bill to incorporate the Excelsior Planting Company.

Mr. Vest gave notice that he would introduce a bill to give the Mayor of Salem, in Forsythe county, certain power.

Mr. French introduced

A bill to amend an act entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical, chemical and other purposes.

Referred to the Committee on Corporations.

Mr. Matheson introduced

A bill to authorize the late Sheriff of Alexander county to collect arrears of taxes.

Referred to the Committee on Private Bills.

The hour for the special order having arrived, it being

A resolution maintaining the honor and good faith of the State and the inviolability of our public debt,

The same was taken up.

The question being on the amendment offered by Mr. Malone, viz: to insert in line two, section three, after the word "indebtedness," the words "legally incurred and honestly disposed of, as to the bonded debt,"

Mr. Argo moved that the entire matter be postponed for thirty days.

On this motion,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The motion to postpone prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Candler, Carson, Clayton, Davis, Davidson, Durham, Ellis, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, Hendricks, Hicks, High, Hinnant, Hodnett, Humphries, Jarvis, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Parker, Pou, Ragland, Robinson, Seymour, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Thompson, Vestal, Welch, Whitley, Wilkie and Williams of Harnett—54.

Those who voted in the negative were,

Messrs. Banner, Cawthorn, Cherry, Crawford, Eagles, Ellington, Forkner, Foster, French, Gahagan, Gilbert, Graham, Gunter, Harris of Franklin, Harris of Wake, Hayes, Hilliard, Hodgin, Hoffman, Hudgings, Justus of Henderson, Justice of Rutherford, Kinney, Laflin, Mayo, McCanless, Moring, Morris, Pearson, Peck, Proctor, Renfrow, Robbins, Reynolds, Sinclair, Smith of Martin, Stevens, Sweat, Vest, Waldrop, White, Williamson and Wilson—44.

Mr. Seymour moved a reconsideration of the vote just taken.

Pending which,

On motion of Mr. Vest,

The House adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, November 23d, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the chair.

Prayer by the Rev. Dr. Mason, of the City.

Leave of absence was granted Mr. French till Monday next.

Also

To Mr. Ingram, from Thursday next till the following Monday.

Mr. Sinclair presented

A memorial from Walter K. Steele, of Rockingham county.

Referred to the Committee on Private Bills.

Mr. Seymour moved that the House proceed immediately to the election of a Principal Doorkeeper, *vice* Edgar Miller, resigned.

The motion prevailed.

Mr. French placed in nomination for the position Mr. David W. Harris, of Edgecombe county.

Mr. Vestal placed in nomination Mr. James Page, of Randolph county.

Mr. Durham placed in nomination Mr. W. J. Edwards, of Wake county.

There being no further nominations,

The Speaker appointed Messrs. Lafin and Argo as tellers, and the House proceeded to vote; and

The vote resulted and was announced as follows:

For Mr. Page—Messrs. Argo, Armstrong, Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Candler, Carson, Clayton, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Gilbert, Green, Grier, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Jarvis, Justus of Henderson, Kelly of Davie, Long of Chatham, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Thompson, Vestal, Welch, Whitley, Williams of Harnett and Wilson—53.

For Mr. Harris—Messrs. Speaker, Carey, Cawthorn, Cherry, Dixon, Eagles, Ellington, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Harris of Franklin, Harris of Wake, Hayes, Hilliard, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Rich-

mond, Mayo, Moring, Morrill, Morris, Parker, Peck, Pou, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Sykes, Vest, Waldrop, White and Wilkie—52.

Mr. Reynolds introduced

A resolution complimentary to Edgar Miller, former Doorkeeper.

Adopted, under suspension of the rules.

Mr. Laflin introduced

A resolution fixing a time for adjournment.

Laid over.

Mr. Boddie introduced

A resolution in favor of the Sheriff of Nash county.

Laid over.

On motion of Mr. Harris, of Wake,

A bill for the suppression of outrages committed by disguised persons was

Made special for Friday, the 26th instant, at 11 o'clock.

A message was received from the Governor in regard to, and transmitting communication concerning, a claim of Moses A. Bledsoe against the State.

Ordered printed, and

Referred to the Committee on Claims.

Mr. Ellis introduced

A bill to amend an act entitled "An act to incorporate the town of Hickory Tavern.

Referred to the Committee on Corporations.

Mr. Candler introduced

A bill to amend an act relative to the Western Turnpike Road leading from Asheville to the Tennessee and Georgia lines.

Laid over.

Mr. Justice, of Rutherford, introduced

A bill to more effectually punish horse thieves.

Referred to the Judiciary Committee.

Mr. Parker introduced

A bill to amend chapter 185 of the laws passed at the session of 1868–'69.

Referred to the Judiciary Committee.

Mr. Malone introduced

A bill to allow Justices of the Peace to take depositions without a commission.

Referred to the Judiciary Committee.

Mr. Matheson introduced

A bill to repeal an act entitled "An act to require the Registration of Deeds."

Referred to the Judiciary Committee.

Mr. Sykes introduced

A bill to incorporate the Elizabeth City and Norfolk Railroad Company.

Referred to the Committee on Internal improvements.

The hour of the special order having arrived, it being

A resolution concerning the removal of political disabilities from certain citizens of the State,

The same was taken up.

The question recurring on the amendment offered by Mr. Malone, viz: an additional section, to be titled "section 2d,"

Mr. French moved to postpone the further consideration of the subject for one week.

On this motion,

Mr. Pou called for the yeas and nays.

The call being sustained,

The motion to postpone was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnes, Davis, Dixon, Eagles, Ellington, Forkner, French, Graham, Hilliard, Hodgin, Hudgings, Kinney, Pearson, Peck, Proctor, Seymour, Simonds, Stevens, Vest, White and Wilson—23.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Blair, Boddie, Candler, Carson, Cawthorn, Clayton, Durham, Ellis, Farrow, Ferebee, Foster,

Gahagan, Gatling, Gibson, Gilbert, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hendricks, High, Hinnant, Hodnett, Hoffman, Horney, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, McCanless, McMillan, Mendenhall, Moring, Moore of Alamance, Morrill, Morris, Nicholson, Painter, Parker, Pou, Price, Robbins, Robinson, Reynolds, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sweat, Sykes, Thompson, Vestal, Waldrop, Welch, Whitley, Williams of Harnett and Williamson—72.

On motion of Mr. Seymour,

The matter was then made special for Friday, the 26th instant, at eleven o'clock.

Mr. Price introduced

A bill to amend an act entitled "An act to create a Mechanics' and Laborers' Lien law."

Referred to the Judiciary Committee.

On motion of Mr. Ferebee,

The rules were suspended, and

A bill to allow the Sheriffs further time to make returns to the Treasurer, was taken up.

Mr. Pou moved to indefinitely postpone the bill, and

The motion prevailed.

The unfinished business of Monday was taken up, it being

A motion to reconsider the vote by which "A resolution maintaining the honor and good faith of the State and the inviolability of the public debt," was postponed for thirty days.

Mr. Seymour called the previous question.

The question being "Shall the main question be now put?"

The vote was declared in the affirmative.

The question recurring on the motion to reconsider,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion to reconsider prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Candler, Carey, Cawthorn, Cherry, Clayton, Crawford, Dixon, Eagles, Ellington, Forkner, Foster, Gahagan, Gilbert, Graham, Gunter, Harris of Franklin, Harris of Wake, Hodgin, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moring, Morrill, Morris, Pearson, Peck, Procter, Ragland, Renfrow, Robbins, Reynolds, Seymour, Siegrist, Sinclair, Simonds, Smith of Martin, Snipes, Stevens, Vestal, Vest, Waldrop, White, Wilkie, Williamson and Wilson—59.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Blair, Boddie, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Kelly of Davie, Malone, Matheson, McMillan, Moore of Alamance, Nicholson, Painter, Parker, Pou, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Stanton, Sweat, Thompson, Welch, Whitley and Williams of Harnett—39.

The question then recurring on the motion to postpone for thirty days,

Mr. Argo, by leave, withdrew the motion.

Mr. Welch moved to postpone further consideration of the matter for one week.

On this motion

Mr. Argo called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote :

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Banner, Blair, Boddie, Carey, Clayton, Davis, Davidson, Dixon, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, Hendricks, Hicks, High, Hinnant, Hodnett, Humphries, Kelly of Davie, Kelly of Moore, Long of Richmond, Malone, Matheson, McMillan, Moore of Alamance, Nicholson, Painter, Pou,

Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Thompson, Vestal, Welch, Whitley and Williams of Harnett—45.

Those who voted in the negative were,

Messrs. Ashworth, Barnett, Candler, Carson, Cawthorn, Cherry, Crawford, Eagles, Ellington, Forkner, Foster, Gahagan, Gilbert, Graham, Gunter, Harris of Franklin, Harris of Wake, Hilliard, Hodgin, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kinney, Laflin, Leary, Mayo, McCanless, Mendenhall, Moring, Morrill, Morris, Parker, Pearson, Peck, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stevens, Sweat, Vest, Waldrop, White, Wilkie, Williamson and Wilson—56.

The question then recurring on the resolution of Mr. Malone, viz: to amend the 3d section,

Mr. Painter called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Blair, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, Hicks, High, Hodnett, Humphries, Jarvis, Kelly of Davie, Long of Chatham, Malone, Matheson, McMillan, Moore of Alamance, Nicholson, Painter, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch, Whitley and Williams of Harnett—37.

Those who voted in the negative were:

Messrs. Ashworth, Banner, Barnett, Barnes, Candler, Carson, Carey, Cawthorn, Crawford, Dixon, Eagles, Ellington, Forkner, Foster, Gahagan, Gilbert, Graham, Gunter, Harris of Franklin, Harris of Wake, Hayes, Hilliard, Hinnant, Hodgen, Hoffman, Horney, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Richmond, Mayo, McCanless, Mendenhall, Moring, Morrill, Morris, Parker, Pearson, Peck, Pou, Price, Proctor, Ragland, Renfrow, Rob-

bins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Vestal, Vest, White, Wilkie, Williamson and Wilson—64.

Mr. Durham offered an amendment, to be titled "section four;" when

Mr. Seymour called the previous question;

Pending which,

On motion of Mr. Argo,

The House adjourned, to meet again at ten o'clock, Wednesday.

WEDNESDAY, November 24th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the chair.

Prayer by the Rev. Mr. Shaver, of the House.

Leave of absence was granted to Mr. Nicholson until Monday next; to Mr. Green until Monday next; and to Mr. Seymour until Monday next.

Mr. Price gave notice that he would introduce a bill to amend the charter of the city of Wilmington; also, a bill to incorporate the Cape Fear Loan and Building Association.

Mr. Smith, of Wayne, gave notice that he would introduce a bill to incorporate the town of Mount Olive, in the county of Wayne.

Mr. Stanton gave notice that he would introduce a bill to incorporate "Foy's Mathematical and High School," near Stantonsburg, in Wilson county.

Mr. Gilbert gave notice that he would introduce a bill to incorporate the village of Dysartville, in McDowell county.

Mr. Hicks gave notice that he would introduce a bill to incorporate the Murphy and Georgia Turnpike Company.

Mr. Vest introduced

A resolution providing for the appointment of a Special Committee on Town Corporations.

Adopted, under suspension of the rules.

Mr. Williamson introduced

A resolution in regard to poll tax.

Laid over.

Mr. Morris introduced

A bill to amend chapter 134, section 19, of the laws passed at the session of 1868–'69.

Laid over.

Mr. Vest introduced

A bill to extend the time of registering deeds.

Referred to the Judiciary Committee.

Mr. Nicholson introduced

A bill to equalize the expense of keeping up bridges in the several counties.

Referred to the Committee on Counties and Townships.

Mr. Painter introduced

A bill to amend an act entitled "An act relative to the Western Turnpike Road leading from Asheville to Murphy.

Laid over.

Mr. Barnett introduced

A bill to sell the interest of the State in the North Carolina and the Atlantic and North Carolina Railroads.

Ordered to be printed, and

Made special for Wednesday, December first, at twelve o'clock.

Mr. Sykes, by leave, presented a petition from John L. Wood, Sheriff of Pasquotank.

Referred to the Committee on Propositions and Grievances.

Mr. McCanless introduced

A bill to allow one Justice of the Peace to the town of Danbury.

Referred to the Committee on Counties and Townships.

Mr. Justus, of Henderson, introduced, by leave,

A resolution regarding the Marion and Asheville Turnpike Road.

Referred to the Committee on Propositions and Grievances.

The Speaker, by request of Mr. Durham, added Mr. Welch to the Judiciary Committee.

Mr. Mayo introduced, by leave,

A resolution in regard to public highways, mills and churches closed during the war.

Referred to the Committee on Propositions and Grievances.

The unfinished business of Tuesday was taken up.

Mr. Ellis withdrew his amendment.

Mr. Seymour renewed his call for the previous question.

The question being "Shall the main question be now put?"

The vote was declared in the affirmative.

The question recurring on the amendment offered by Mr. Durham,

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gilbert, Green, Grier, Harris of Franklin, Hawkins, Hendricks, Hicks, High, Hodgin, Hodnett, Hoffman, Horney, Humphries, Jarvis, Justus of Henderson, Kelly of Davie, Kinney, Long of Chatham, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Parker, Rea, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Sweat, Sykes, Thompson, Vestal, Welch, Whitley, Williams of Harnett and Wilson—58.

Those who voted in the negative were,

Messrs. Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Forkner, Foster, Gahagan, Graham, Gunter, Harris of Wake, Hinnant, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Laflin, Leary, Mayo, McCanless,

Morrill, Morris, Pearson, Pou, Price, Proctor, Renfrow, Robbins, Seymour, Sinclair, Simonds, Stanton, Stevens, Vest, White, Wilkie and Williamson—40.

The question then recurred on the substitute for the whole, offered by Mr. Pou; and

The substitute was rejected.

The question then recurring on the adoption of the original resolution as amended,

By leave, Mr. Seymour withdrew the entire matter from the calendar.

A message was received from the Governor explaining a certain portion of His Excellency's last annual message.

Ordered to be printed.

Mr. Price introduced, by leave,

A bill to enforce labor on highways.

Referred to the Judiciary Committee.

Mr. Crawford introduced, by leave,

A bill to prevent the destruction of game.

Referred to the Committee on Propositions and Grievances.

Mr. Robbins introduced, by leave,

A bill to prevent the levying on homesteads.

Referred to the Judiciary Committee.

A resolution requesting North Carolina representatives in Congress to use their influence to obtain the recognition of the belligerent rights of Cuba by the national government, was taken from the calendar.

The resolution was rejected.

A resolution in regard to *per diem* was taken from the calendar.

Mr. Stevens moved to indefinitely postpone the resolution; and the motion prevailed.

A resolution in regard to the special tax on brandy (requesting North Carolina representatives in Congress, etc., etc.,) was taken from the calendar.

Mr. Vest moved to postpone the resolution indefinitely.

On this motion,

Mr. Proctor called for the yeas and nays.

The call being sustained,

The motion to postpone was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Foster, Gahagan, Hodgin, Hudgings, Morris, Seymour, Simonds, Vest, White and Wilkie—10.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnett, Boddie, Candler, Carson, Carey, Cawthorn, Clayton, Davidson, Dixon, Durham, Eagles, Ellis, Ellington, Farrow, Ferebee, Forkner, Gatling, Gibson, Graham, Grier, Gunter, Harris of Franklin, Hawkins, Hendricks, Hilliard, Hinnant, Hodnett, Horney, Humphries, Jarvis, Justice of Rutherford, Kelly of Davie, Kelley of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, Mendenhall, Moring, Moore of Alamance, Moore of Chowan, Morrill, Nicholson, Painter, Parker, Pearson, Price, Proctor, Rea, Robbins, Reynolds, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Welch, Whitley, Williams of Harnett and Wilson—76.

Amendments were offered by Messrs. Sinclair and Hodnett, which were accepted by the author of the resolution; and

The resolution, as amended, was adopted.

A resolution of instruction to the Judiciary Committee was taken from the calendar.

Mr. Foster moved to indefinitely postpone the resolution; and

The motion prevailed.

A resolution appointing a committee to investigate frauds in the management of certain railroad bonds was taken from the calendar.

Mr. Justice, of Rutherford, offered an additional section, as an amendment, to be titled "Section third," which was

Accepted by the author of the resolution.

Mr. Ingram offered an amendment to the first section, which was

Accepted by the author of the resolution.

Mr. Ellis offered a substitute for the whole.

No objection being made,

The substitute was accepted by the author of the resolution.

Mr. Sinclair moved to lay the whole subject on the table.

On this motion

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Carson, Crawford, Eagles, Foster, Hudgings, Kinney, Laflin, Moore of Chowan, Morrill, Morris, Pearson, Proctor, Sinclair, Simonds and Snipes—15.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Candler, Cawthorn, Cherry, Clayton, Davis, Dixon, Durham, Ellis, Ellington, Farrow, Ferebee, Forkner, Gatling, Gibson, Gilbert, Graham, Green, Grier, Gunter, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Humphries, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moring, Moore of Alamance, Nicholson, Painter, Parker, Peck, Pou, Ragland, Renfrow, Robinson, Reynolds, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Stanton, Sweat, Thompson, Vest, Waldrop, Welch, White, Whitley, Wilkie, Williams of Harnett, Williamson and Wilson—77.

A message was received from the Senate transmitting

A substitute for the bill to authorize the Public Treasurer to pay *per diem* and mileage of members of the Legislature.

On motion of Mr. Justice, of Rutherford,

The rules were suspended.

Mr. Justice, of Rutherford, moved that the House concur in the adoption of the substitute.

On this motion

Mr. Durham called for the yeas and nays.

The call being sustained,

The substitute was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Barnett, Barnes, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Ellington, Ferebee, Forkner, Gahagan, Gilbert, Graham, Harris of Franklin, Hilliard, Hoffman, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, Morrill, Peck, Price, Ragland, Robbins, Sinclair, Simonds, Sweat and Wilson—33.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Blair, Boddie, Candler, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Foster, Gibson, Green, Grier, Gunter, Harris of Wake, Hawkins, High, Hinnant, Hodgin, Hodnett, Humphries, Hudgings, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Kinney, Mlaone, Matheson, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Morris, Painter, Parker, Pearson, Pou, Proctor, Rea, Renfrow, Robinson, Reynolds, Shaver, Siegrist, Smith of Alleghany, Snipes, Stanton, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, White, Whitley, Wilkie, Williams of Harnett and Williamson—64.

On motion of Mr. Proctor,

The House adjourned to meet again at ten o'clock, Thursday.

THURSDAY, November 25th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the chair.

Prayer by the Rev. Mr. Smith, of the House.

Leave of absence was granted Mr. White till Tuesday next; to Mr. Foster till Monday next; to Mr. Sinclair for the whole of next week: to Mr. Hayes till Monday next; to Mr. Blair till Tuesday next.

Mr. Harris, from the Committee on Propositions and Grievances, to whom was referred

A bill to repeal the tax on tobacco,

Reported back the same favorably.

Mr. Dixon, from the Committee on Salaries and Fees, to whom was referred

A bill to compensate School Committees,

Reported back the same, with the recommendation that it be re-committed to the Committee on Education, and

The bill was re-referred to said committee.

Mr. Farrow introduced

A resolution for the relief of the tax collector for Hyde county and the Shriff of Chatham county.

Laid over.

Mr. Morris introduced

A resolution concerning *per diem.*

Laid over.

Mr. Moore, of Alamance, introduced

A resolution of instruction to the Judiciary Committee.

Laid over.

Mr. Ragland introduced

A resolution of instruction to the Speaker.

Laid over.

Mr. Painter introduced

A resolution reducing the *per diem* of members of the General Assembly, and the salaries and fees of State and county officers.

Laid over.

Mr. Robbins introduced

A resolution regulating the working of roads.

Laid over.

Mr. Harris, of Wake, moved a re-consideration of the vote

by which the Senate substitute for House bill in regard to the payment of *per diem* and mileage to members of the General Assembly, was laid on the table.

On this motion

Mr. Harris, of Wake, called the previous question.

The question being, "Shall the main question be now put?"

The vote was decided in the affirmative.

The question then recurring on the adoption of the substitute,

The substitute was adopted.

Mr. Sinclair moved a reconsideration of the vote by which the substitute was adopted, and moved to lay the motion to reconsider on the table; and

The motion to table the motion to reconsider prevailed.

Mr. Justice, of Rutherford, introduced

A bill in favor of the Sheriffs of Rutherford and Polk counties.

Laid over.

Mr. Morrill introduced

A resolution declaring the office of Engrossing Clerk vacant.

On motion of Mr. Harris, of Wake,

The rules were suspended; and the resolution was laid on the table.

Mr. Harris, of Franklin, introduced

A bill to allow the Chairman of County Commissioners to act in cases where Judges of Probate are disqualified.

Referred to the Judiciary Committee.

Mr. Vest gave notice that he would introduce a bill in regard to the draining of low lands in Forsythe county.

Mr. Matheson gave notice that he would introduce a bill to incorporate the town of Taylorsville, in Alexander county.

Mr. Malone introduced

A bill to amend the bastardy laws of this State.

Referred to the Judiciary Committee.

Mr. Barnett introduced

A bill to incorporate the Valley Railroad company.

Referred to the Committee on Corporations.

Mr. Moore, of Chowan, introduced

A bill to enable married women to become free traders.

Referred to the Judiciary Committee.

Mr. Mayo introduced

A bill for the divorce of Jordan Trevan.

Referred to the Committee on Propositions and Grievances.

Mr. Smith, of Alleghany, introduced

A resolution concerning Justices of the Peace; and obtained thereon a suspension of the rules.

Mr. Hinnant offered an amendment to the first section of the resolution.

The amendment was accepted by the author of the resolution; when,

On motion of Mr. Pou,

The resolution, as amended, was referred to the Committee on the Judiciary.

The unfinished business of Wednesday was then taken up, it being

A resolution providing for the appointment of a committee to investigate certain Railroad frauds.

Mr. Harris, of Wake, offered a substitute for the whole;

Pending which,

A message was received from the Senate, transmitting

A bill to further protect the interests of the State in certain Railroads, and to require accountability on the part of their officers.

Laid over.

The unfinished business having been resumed,

Mr. Laflin moved to postpone the whole subject under consideration until Tuesday, the 30th instant, at 12 o'clock.

On this motion,

Mr. Pou called for the yeas and nays.

The call being sustained,

The motion to postpone was rejected by the following vote:

Mr. Crawford voted in the affirmative.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Candler, Carson, Carey, Cawthorn, Cherry, Clayton, Davis, Dixon, Durham, Eagles, Ellis, Ellington, Farrow, Ferebee, Forkner, Gahagan, Gatling, Gibson, Gilbert, Graham, Grier, Gunter, Harris of Wake, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Morris, Painter Parker, Pearson, Pou, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Robinson, Reynolds, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Sweat, Sykes, Thompson, Vestal, Waldrop, Welch, Whitley, Wilkie, Williams of Harnett, Williamson and Wilson—90.

Mr. Pou moved to lay the whole matter on the table.

On this motion

Mr. Harris, of Wake, called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Barnes, Blair, Candler, Cherry, Dixon, Eagles, Ellington, Foster, Hinnant, Laflin, Leary, Peck, Pou, Price, Proctor, Renfrow, Sinclair, Simonds, Snipes, Sweat, Wilkie and Williamson—22.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Boddie, Carson, Cawthorn, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Forkner, Gahagan, Gatling, Gibson, Gilbert, Graham, Grier, Gunter, Harris of Wake, Hawkins, Hendricks, High, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Jarvis, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moore

of Alamance, Moore of Chowan, Morrill, Painter, Parker, Pearson, Ragland, Rea, Robinson, Reynolds, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Stevens, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Harnett and Wilson—68.

Mr. Welch called the previous question on the whole.

The question being "Shall the main question be now put?"

The vote was declared in the affirmative.

The question recurring on the substitute offered by Mr. Harris,

Mr. Durham called for the yeas and nays.

The call being sustained,

The substitute was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnett, Blair, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Ellington, Forkner, Foster, Gahagan, Graham, Gunter, Harris of Wake, Hilliard, Hoffman, Horney, Hudgins, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Peck, Proctor, Ragland, Rea, Renfrow, Reynolds, Sinclair, Simonds, Stevens, Vest, Waldrop and Williamson—44.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Banner, Barnes, Boddie, Candler, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Gilbert, Grier, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Humphries, Jarvis, Kelly of Davie, Leary, Long of Chatham, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Painter, Parker, Pou, Price, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Sweat, Sykes, Thompson, Vestal, Welch, Whitley, Williams of Harnett and Wilson—53.

The question recurring on the passage of the orignal bill, as amended, on its second reading,

Mr. Durham called for the yeas and nays.

The call being sustained,

The bill failed to pass its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ago, Armstrong, Banner, Barnes, Boddie, Candler, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Gilbert, Grier, Hawkins, Hicks, Hilliard, High, Hodnett, Horney, Humphries, Jarvis, Kelly of Davie, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Painter, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Stanton, Thompson, Welch, Whitley and Williams of Harnett—41.

Those who voted in the negative were,

Messrs. Ashworth, Blair, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Ellington, Forkner, Foster, Gahagan, Graham, Gunter, Harris of Wake, Hendricks, Hinnant, Hodgin, Hudgings, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Peck, Pou, Price, Proctor, Ragland, Rea, Renfrow, Reynolds, Siegrist, Sinclair, Simonds, Snipes, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop, Wilkie, Williamson and Wilson—54.

The Speaker announced the following House and Joint Standing Committees, with information that the other committees authorized would speedily be prepared and announced.

HOUSE COMMITTEES.

Judiciary.—Messrs. Seymour, Pou, Durham, Malone, Candler, Harris of Wake, Bowman, Barnett, Welch, Jarvis, Stilley, Moore of Chowan, Leary, Argo, Ellington and Gatling.

Claims.—Messrs. Dixon, Hendricks, Jarvis, Justus of Henderson, Vest, Ellis, Harris of Franklin, Mayo, Siegrist, Green, Cherry, McCanless, Armstrong, Gilbert and Welch.

Propositions and Grievances.—Messrs. Harris of Wake, Hodnett, Sweet, Vestal, Williams of Sampson, Snipes, Parker,

Williams of Harnett, Rea, Morris, Matheson, Franklin, Forkner and Crawford.

Corporations.—Messrs. Barnett, Whitley, Leary, Morrill, Jarvis, Nicholson, Banner, Robbins, Horney, Kinney, Blair, Carson, Carey and Farrow.

Enrolled Bills.—Messrs. Hinnant, White, Ferebee and Hawkins.

Engrossed Bills.—Messrs. Downing, Hicks, Davidson, Horney, Wiswall, Price, Humphries, Stanton, Hawkins, Ashworth and Gilbert.

Privileges and Elections.—Messrs. Pou, Durham, Peck, Stilley, Gibson, Grier, Harris of Franklin, Gunter, Eagles, Hudgings, Hilliard, Kelly of Davie, Long of Richmond, Cawthorn, Banner and Kelly of Moore.

Penal Institutions.—Messrs. Ashworth, Ames, Davidson, Laflin, Long of Chatham, McMillian, Ragland, Simonds, Thompson, Wilson, Ferebee, White, Snipes, Smith of Alleghany, Robinson, Gunter and Waldrop.

JOINT STANDING COMMITTEES.

Insane Asylum.—Messrs. Graham, Gatling, Moore of Chowan, Sinclair and Proffitt.

Public Library.—Messrs. Blair, Candler, Ellis, Barnes and Leary.

Public Buildings.—Messrs. Hodgin, Robinson, Stanton, Sykes and Vest.

Deaf and Dumb and Blind Asylum.—Messrs. Mendenhall, Malone, Dixon, Foster and Ferebee.

Mr. Pou, by leave, introduced

A resolution proposing to go into a Committee of the Whole at two o'clock on Tuesday, the 30th instant, for the purpose of examining the affairs of all the railroad companies of the State in which the State has an interest, &c.

Mr. Pou moved a suspension of the rules for the purpose of considering the resolution aforesaid, when

On motion of Mr. Durham,

The House adjourned, to meet again at ten o'clock, Friday.

FRIDAY, November 26th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the chair.

Prayer by the Rev. Mr. Long, of the House.

Leave of absence was granted Mr. Williams, of Harnett, till Tuesday; to Mr. Davis till Thursday; to Mr. Moore, of Alamance, till Monday; to Mr. Argo till Monday; to Mr. Morris for one week from next Thursday; to Mr. Pearson till Tuesday; to Mr. Farrow till Tuesday.

Mr. Barnett, from the Committee on Corporations, to whom was referred

A bill to incorporate the Valley Railroad Company,

Reported the same favorably; and,

On motion of Mr. Barnett,

The bill was ordered to be printed and made special for Monday, the 29th instant, at 10½ o'clock.

Mr. Jarvis introduced

A resolution declaring that an election shall be held on the first Thursday of August, 1870, for members of the General Assembly.

Mr. Durham moved a suspension of the rules for the purpose of considering the resolution aforesaid.

On this motion

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion to suspend prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Barnett, Boddie, Candler,

Cawthorn, Clayton, Davidson, Dixon, Durham, Ellis, Farrow, Ferebee, Grier, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hodnett, Hoffman, Humphries, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Long of Chatham, Malone, Matheson, McMillan, Mendenhall, Morris, Painter, Pou, Price, Ragland, Robinson, Reynolds, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Wayne, Stanton, Sykes, Thompson, Vestal, Welch, Whitley and Wilkie—52.

Those who voted in the negative were,

Messrs. Ashworth, Banner, Barnes, Blair, Carson, Crawford, Eagles, Forkner, Hendricks, Hodgin, Kinney, Laflin, Leary, Long of Richmond, Mayo, McCanless, Moring, Morrill, Parker, Proctor, Renfrow, Robbins, Smith of Martin, Stevens, Waldrop, Williamson and Wilson—27.

Mr. Price moved to refer the resolution to the Committee on Privileges and Elections.

On this motion

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The motion to refer prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnett, Barnes, Blair, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Ellington, Forkner, Gahagan, Gilbert, Gunter, Harris of Wake, Hendricks, Hodgin, Hoffman, Horney, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moring, Moore of Chowan, Morrill, Morris, Parker, Pearson, Peck, Pou, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop, Wilkie, Williamson and Wilson—62.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Candler, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gibson, Grier,

Harris of Franklin, Hawkins, Hicks, High, Hodnett, Humphries, Jarvis, Kelly of Davie, Malone, Matheson, McMillan, Painter, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch and Whitley—32.

Mr. Snipes introduced

A resolution in favor of the Sheriff of Hertford county.

Laid over.

Mr. Painter introduced

A resolution to declare valid the late election for township officers in the county of Jackson, held the first Thursday in August, 1869.

Referred to the Committee on Privileges and Elections.

Mr. Malone introduced

A bill to amend section 11, paragraph 279, title 12, chapter 2, of the Code of Civil Procedure.

Referred to the Judiciary Committee.

Mr. Proctor introduced

A bill for removing obstructions in Lumber river.

Laid over.

Mr. Price introduced

A bill to amend an act concerning Townships, ratified the 12th of April, 1869.

Laid over.

Mr. Pearson introduced

A bill in relation to granting license to liquor dealers.

Referred to the Judiciary Committee.

On motion of Mr. Malone,

The rules were suspended, and

A resolution requesting the opinion of the Attorney General on the legal construction of Article X, of the Constitution, in regard to the homestead exemption, was taken up.

The resolution was adopted.

The hour for the special order having arrived, it being

A resolution in regard to the removal of political disabilities from certain citizens of the State,

The resolution was taken up.

Mr. Malone, by consent, withdrew his amendment to the resolution.

Mr. Jarvis offered a substitute for the whole.

The question being on the adoption of the substitute,

Mr. Durham called for the yeas and nays.

The call being sustained,

The substitute was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Speaker, Ames, Argo, Armstrong, Barnett, Barnes, Blair, Boddie, Candler, Cawthorn, Clayton, Davis, Davidson, Durham, Ellis, Ferebee, Gibson, Gilbert, Grier, Gunter, Harris of Franklin, Hawkins, Hendricks, Hicks, High, Hinnant, Hodnett, Hoffman, Humphries, Hudgings, Jarvis, Justus of Henderson, Kelly of Davie, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Painter, Parker, Pou, Price, Renfrow, Robinson, Reynolds, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Waldrop, Welch, Whitley, Williamson and Wilson—66.

Those who voted in the negative were,

Messrs. Ashworth, Carson, Crawford, Eagles, Forkner, Gahagan, Graham, Hodgin, Kelly of Moore, Kinney, Mayo, McCanless, Morrill, Pearson, Proctor, Ragland, Rea, Robbins, Simonds and Smith of Martin—20.

Mr. Pou moved to amend by inserting a preamble.

Mr. Malone offered an amendment to the preamble.

The amendment was accepted by Mr. Pou.

The question then being on the adoption of the amendment as amended,

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Ashworth, Barnett, Barnes, Blair,

Candler, Carson, Cawthorn, Clayton, Crawford, Dixon, Eagles, Ferebee, Gilbert, Graham, Gunter, Harris of Franklin, Harris of Wake, Hendricks, Hinnant, Hodnett, Hoffman, Horney, Humphries, Hudgings, Jarvis, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Morris, Parker, Pearson, Peck, Pou, Price, Proctor, Ragland, Renfrow, Robbins, Robinson, Reynolds, Siegrist, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Waldrop, Whitley, Williamson and Wilson—66.

Those who voted in the negative were,

Messrs. Armstrong, Davis, Davidson, Durham, Ellis, Gahagan, Gibson, Hawkins, High, McMillan, Painter, Shaver, Simonds, Smith of Alleghany and Thompson—15.

The question then recurring on the adoption of the resolution,

Mr. Durham called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Ashworth, Barnett, Barnes, Blair, Candler, Cawthorn, Cherry, Crawford, Davidson, Dixon, Ferebee, Gilbert, Graham, Gunter, Harris of Franklin, Harris of Wake, Hendricks, Hinnant, Hodnett, Hoffman, Hudgings, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Morris, Parker, Pearson, Peck, Pou, Price, Proctor, Rea, Renfrow, Robbins, Robinson, Reynolds, Siegrist, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sweat, Sykes, Vestal, Wilkie, Williamson and Wilson—61.

Those who voted in the negative were,

Messrs. Armstrong, Carson, Davis, Durham, Eagles, Ellis, Forkner, Gahagan, Gibson, Grier, Hawkins, High, Humphries, Justus of Henderson, Kelly of Davie, McMillan, Painter,

Shaver, Simonds, Smith of Alleghany, Stevens, Thompson and Whitley—22. 13

Mr. Reynolds introduced

A bill concerning roads, bridges and ferries.

Laid over.

Mr. Wilkie introduced

A bill to require County Commissioners to meet but once a year.

Referred to the Judiciary Committee.

Mr. Justice, of Rutherford, introduced

A bill to investigate the affairs of certain railroads.

Laid over.

The unfinished business of Thursday was taken up, it being

A resolution proposing to go into a Committee of the Whole for the purpose of investigating certain railroad frauds.

Mr. Pou renewed his motion to suspend the rules, and

The motion prevailed.

Mr. Pou offered a substitute for the resolution.

The substitute was adopted.

Mr. Stevens moved to amend the resolution by striking out "three o'clock to-day," and inserting in lieu thereof the words "three and a half o'clock next Tuesday."

On this motion,

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Blair, Candler, Carson, Carey, Cawthorn, Cherry, Davis, Dixon, Eagles, Gahagan, Gilbert, Gunter, Harris of Franklin, Harris of Wake, Hendricks, Horney, Kelly of Moore, Kinney, Laflin, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morris, Pearson, Peck, Proctor, Ragland, Rea, Robbins, Reynolds, Smith of Martin, Stevens, Vest and Wilson—36.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Barnett, Boddie, Davidson,

Durham, Ellis, Ferebee, Grier, Hawkins, Hicks, High, Hinnant, Hodgin, Humphries, Jarvis, Justice of Rutherford, Kelly of Davie, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Painter, Parker, Pou, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Sweat, Thompson, Vestal, Welch, Whitley and Wilkie—39.

Mr. Harris, of Wake moved to amend by striking out "three o'clock" and inserting in lieu thereof the words "one o'clock."

On this motion,

Mr. Harris called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Boddie, Candler, Cawthorn, Cherry, Davis, Davidson, Dixon, Durham, Eagles, Ellis, Ferebee, Forkner, Gahagan, Gilbert, Graham, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Horney, Humphries, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, Malone, Matheson, McCanless, McMillan, Mendenhall, Moore of Alamance, Morris, Painter, Pearson, Peck, Pou, Ragland, Reynolds, Shaver, Siegrist, Smith of Alleghany, Stanton, Stevens, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Wilkie and Wilson —61.

Those who voted in the negative were,

Messrs. Barnett, Blair, Carson, Gunter, Jarvis, Laflin, Mayo, Moore of Chowan, Parker, Proctor, Rea, Snipes and Sweat—13.

The question recurring on the adoption of the resolution, as amended,

Mr. Moore, of Chowan, moved to amend by striking out "one o'clock to-day" and inserting "on Tuesday after the first Monday of December next."

On this motion

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Barnes, Blair, Candler, Carson, Clayton, Eagles, Forkner, Gahagan, Gunter, Harris of Franklin, Harris of Wake, Hendricks, Hodgin, Hoffman, Horney, Kelly of Moore, Kinney, Moore of Chowan, Morris, Ragland and Renfrow—21.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Boddie, Davis, Dixon, Durham, Ellis, Ferebee, Gibson, Grier, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Jarvis, Justice of Rutherford, Kelly of Davie, Leary, Malone, Matheson, McCanless, McMillan, Mendenhall, Painter, Parker, Pou, Price, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Sweat, Thompson, Vestal, Whitley, Wilkie and Wilson—42.

The question re-recurring on the adoption of the resolution, as amended,

Mr. Durham moved to amend by inserting the words, "and that this Committee shall have power to send for persons and papers, and to examine witnesses."

The amendment was adopted.

Mr. Wilkie moved to amend by including Turnpike Roads.

The amendment was adopted.

The resolution, as amended, was then adopted.

The Speaker called Mr. Pou to the Chair, and went upon the floor of House, and

The Committee went into session.

2 o'clock, 50 minutes.

The House having again convened

Mr. Pou, Chairman of the Committee of the Whole, reported

That the Committee had been in session, had adduced some testimony on the subject for which it was organized, and asked leave to sit again.

Pending which,

On motion of Mr. Proctor,

The House adjourned to meet again at ten o'clock, Saturday.

SATURDAY, November 27th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Mayo, of the House.

Leave of absence was granted Mr. Wilkie till Tuesday next; to Mr. Williamson till Tuesday next; to Mr. Cherry for five days; to Mr. Long, of Chatham, till Tuesday next; and to Mr. Pou till Monday next.

Mr. Clayton introduced

A bill in favor of the Sheriff of Transylvania County.

Referred to the Committee on Finance.

Mr. Morris introduced

A bill to punish slander, or to make it a misdemeanor.

Referred to the Judiciary Committee.

Mr. Gilbert introduced

A bill to amend an act prohibiting the sale of intoxicating liquors on the Western North Carolina Rail Road.

Laid over.

Mr. Moore, of Chowan, introduced

A bill to establish townships in certain counties.

Laid over.

Mr. Leary introduced

A bill in favor of the Sheriff of Cumberland County.

Referred to the Committee on Finance.

Mr. Barnett introduced, by leave, a resolution concerning the investigation of certain alleged frauds.

Laid over.

The unfinished business of Friday was taken up, it being

The report of the Committee of the Whole.

The report was concurred in.

Mr. Pou moved that the House do now go into a Committee of the Whole.

Mr. Vest moved to amend the motion by fixing the time of going into committee for Thursday next at 10½ o'clock.

The amendment was accepted; and

The motion, as amended, was adopted.

A resolution requesting the North Carolina representatives in Congress to use their influence for the total abatement of the United States direct tax on real estate, was taken from the calendar.

On the adoption of the resolution

Mr. Vestal called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were:

Messrs. Armstrong, Ashworth, Banner, Barnes, Boddie, Carson, Carey, Cawthorn, Clayton, Durham, Eagles, Ellis, Ferebee, Forkner, Gatling, Gibson, Gilbert, Harris of Franklin, Hawkins, Hendricks, Hicks, Hilliard, High, Hinnant, Hodnett, Humphries, Hudgings, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Leary, Long of Richmond, Malone, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Morris, Painter, Parker, Proctor, Ragland, Renfrow, Robinson, Reynolds, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Stanton, Sweat, Sykes, Thompson, Vestal Waldrop, Welch and Whitley—60.

Those who voted in the negative were:

Messrs. Ames, Gahagan, Graham, Hodgin, Horney, Kinney, Stevens and Wilson—8.

The Speaker announced the following additional Standing Committees:

Finance.—Messrs. Moore of Chowan, Hodgin, Durham, Proctor, French, Davis, Kinney, Whitley, Cherry, Dixon, Clayton, Hinnant, Welch, Pearson, Gahagan, Sweat, Hoffman, Armstrong, Graham, Candler and Kelly of Davie.

Education.—Messrs. French, Mendenhall, Boddie, Ingram, Hodgin, Gahagan, Shaver, Sykes, Harris of Wake, Stevens, Allison, Painter, Reynolds, Malone and Hendricks.

A resolution requesting an opinion of the Chief Justice and Associate Justices of the Supreme Court was taken from the calendar, when,

On motion of Mr. Moore, of Chowan,

The rules were suspended, and

A bill to establish townships in certain counties was taken up, and

The bill passed its several readings; and

A bill to amend an act to incorporate the town of Hickory Tavern, in the county of Catawba, was taken up, and

Passed its several readings.

Consideration of the resolution requesting an opinion of the Chief Justice, &c., was resumed.

Mr. Durham offered a substitute for the whole.

On the adoption of the substitute,

Mr. Durham called for the yeas and nays.

The call being sustained,

The substitute was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Barnett, Boddie, Candler, Clayton, Davidson, Durham, Ellis, Ferebee, Gatling, Gibson, Grier, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett, Horney, Humphries, Jarvis, Kelly of Davie, Kelly of Moore, Malone, Matheson, McMillan, Mendenhall, Painter, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson and Whitley—34.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnes, Carson, Carey, Dixon, Eagles, Forkner, Gahagan, Graham, Harris of Wake, Hendricks, Hilliard, Hodnett, Hudgings, Justus of Henderson, Justice of Rutherford, Kinney, Leary, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Parker, Peck, Pou, Price, Proctor, Ragland, Renfrow, Reynolds,

Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop and Wilson—45.

Mr. Jarvis moved to amend by striking out all after the word "house," and inserting the words "request the Code Commissioners to frame a bill for an election on the first Thursday of August, 1870, for members of the General Assembly.

On the adoption of the amendment,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Barnett, Boddie, Candler, Clayton, Durham, Ellis, Ferebee, Gatling, Gibson, Grier, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Jarvis, Kelly of Davie, Kelly of Moore, Malone, Matheson, McMillan, Mendenhall, Painter, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch and Whitley—32.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnes, Carson, Carey, Cawthorn, Dixon, Eagles, Forkner, Gahagan, Graham, Harris of Wake, Hendricks, Hilliard, Hodgin, Hoffman, Horney, Hudgings, Justus of Henderson, Kinney, Laflin, Leary, Long Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Parker, Peek, Pou, Price, Proctor, Ragland, Renfrow, Reynolds, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop and Wilson—47.

Mr. Durham offered another substitute for the whole.

On the adoption of the same,

Mr. Durham called for the yeas and nays.

The call being sustained,

The substitute was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnett, Boddie, Candler, Clayton, Davidson, Durham, Ellis, Ferebee, Gatling, Gibson, Grier, Hawkins, Hicks, High, Hodnett, Humphries, Jarvis,

Kelly of Davie, Malone, Matheson, McMillan, Mendenhall, Painter, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch and Whitley—33.

Those who voted in the negative were,

Messrs. Ashworth, Barnes, Carson, Cawthorn, Dixon, Eagles, Forkner, Gahagan, Gilbert, Graham, Harris of Wake, Hendricks, Hodgin, Hoffman, Horney, Hudgings, Justus of Henderson, Justice of Rutherford, Kinney, Laflin, Leary, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Parker, Pou, Price, Proctor, Ragland, Renfrow, Reynolds, Siegrist, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop and Wilson—46.

The question recurring on the adoption of the original resolution,

Mr. Durham called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Candler, Carson, Carey, Cawthorn, Dixon, Eagles, Ellington, Forkner, Gahagan, Gilbert, Graham, Harris of Wake, Hendricks, Hilliard, Hodgin, Hoffman, Horney, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Parker, Pou, Price, Proctor, Ragland, Renfrow, Reynolds, Simonds, Smith of Martin, Snipes, Stanton, Sweat, Sykes, Vestal, Vest, Waldrop and Wilson—51.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Clayton, Davidson, Durham, Ellis, Ferebee, Gatling, Gibson, Grier, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Jarvis, Kelly of Davie, Malone, Matheson, McMillan, Mendenhall, Painter, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Thompson, Welch and Whitley—32.

A message was received from the Governor, transmitting

A report from Jacob Siler, Agent for the collection of Cherokee bonds.

Ordered printed and sent to the Senate.

On motion of Mr. Pou,

The House then adjourned, to meet again at ten o'clock, Monday.

MONDAY, November 29th, 1869.

The House met pursuant to adjournment.

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Atkinson, of the city.

Mr. Hodnett presented

A petition from a portion of the citizens of Caswell county in favor of the Sheriff of said county; and

Mr. Hodnett introduced, by leave,

A bill giving the Sheriff of Caswell county further time to collect and pay over taxes.

Referred to the Committee on Propositions and Grievances.

Mr. Wilson presented

A petition from a portion of the citizens of Burke county, in relation to the insufficiency of county taxes levied.

Referred to the Committee on Propositions and Grievances.

Mr. Whitley, from the Committee on Corporations, to whom was referred

A bill to incorporate the Young Men's Intelligent and Enterprising Association,

Reported the same favorably, with amendments.

Mr. Moore, of Chowan, introduced

A resolution requesting the North Carolina representatives in Congress to use their influence to obtain payment for property destroyed by the federal army in certain cases.

Referred to the Committee on Propositions and Grievances.

Mr. Vest introduced

A resolution raising a committee to examine into the condition of certain railroads and turnpike companies, and for other purposes.

Laid over.

The hour for the special order having arrived, it being

A bill to incorporate the Valley Railroad company,

The same was taken up; and

The bill passed its second and third readings.

On motion of Mr. Morris,

The rules were suspended, and

A bill to incorporate the Young Men's Intelligent and Enterprising Association, was taken up; and

The amendments offered by the Committee on Corporations were concurred in; and

The bill, as amended, passed its second and third readings.

On motion of Mr. Hodnett,

The rules were suspended, and

A bill to repeal the tax on tobacco was taken up.

The bill passed its second reading, and,

On motion of Mr. Leary, was

Referred to the Committee on Finance.

Mr. Gatling presented

A report from the special committee appointed to investigate the affairs of the Albemarle and Chesapeake Canal Company.

Ordered printed.

Mr. Price introduced, by leave,

A bill to amend chapters 3 and 4 of an act entitled "Proceeedings in criminal cases."

Referred to the Judiciary Committee, and

Ordered printed.

Leave of absence was granted Mr. Proctor for one week from Friday next.

On motion of Mr. Stevens,

The rules were suspended, and

A bill to authorize the Commissioners of Craven County to levy a special tax, was taken up, and

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Candler, Carson, Cawthorn, Clayton, Davidson, Dixon, Downing, Eagles, Ellington, Forkner, Gahagan, Gibson, Gilbert, Graham, Green, Gunter, Harris of Franklin, Harris of Wake, Hendricks, Hicks, Hilliard, Hodgin, Horney, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Malone, Mayo, McCanless, Mendenhall, Moring, Moore of Alamance, Morris, Peck, Ragland, Renfrow, Robinson, Reynolds, Siegrist, Simonds, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Stevens, Stilley, Vestal, Vest, Waldrop, Welch, Whitley and Wilson—60.

Those who voted in the negative were:

Messrs. Hinnant and McMillan—2.

Mr. Malone introduced, by leave,

A bill to authorize Committees of Investigation to enforce attendance of witnesses.

Referred to the Judiciary Committee, with instructions to report as soon as possible.

A message was received from the Senate transmitting

A bill to incorporate the Granville Railroad Company.

Referred to the Committee on Internal Improvements, with instructions to report on Tuesday.

Mr. Reynolds introduced, by leave,

A bill to amend schedule B., section 13, of an "Act to raise revenue."

Referred to the Committee on Finance.

Mr. Justice of Rutherford introduced

A bill to extend the corporate limits of the town of Rutherfordton;

Also,

A bill to incorporate Rocky Spring Camp Ground.

Laid over.

Mr. Gunter introduced

A bill to repeal chapter 240 of the public laws of 1868–'69, authorizing the Commissioners of Chatham county to levy a special tax.

Laid over.

Mr. Wilson introduced

A bill to authorize the Commissioners of Burke county to levy a special tax.

Laid over.

A bill to fix the compensation of County Treasurers was taken from the calendar.

Mr. Justice, of Rutherford, offered a substitute for the same; and the subject was referred to the Finance Committee.

A message was received from the Senate, transmitting

A substitute for House resolution concerning the removal of political disabilities from certain citizens of the State.

Mr. Justice, of Rutherford, moved that the House concur in the adoption of the substitute.

On this motion,

Mr. Proctor called for the yeas and nays.

The call being sustained,

The substitute was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnett, Barnes, Candler, Carey, Cawthorn, Clayton, Dixon, Downing, Gilbert, Graham, Green, Gunter, Hendricks, Hilliard, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Richmond, Mendenhall, Moore of Chowan, Morris, Parker, Peck, Price, Proctor, Ragland, Renfrow, Reynolds, Smith of Martin, Snipes, Sweat, Sykes, Vestal and Wilson—41.

Those who voted in the negative were,

Messrs. Ames, Boddie, Carson, Davidson, Durham, Eagles, Ellis, Ellington, Forkner, Gahagan, Gatling, Gibson, Grier, Hawkins, Hicks, High, Hinnant, Humphries, Jarvis, Kelly of Davie, Malone, Mayo, McMillan, Moore of Alamance, Morrill,

Painter, Rea, Robbins, Robinson, Shaver, Simonds, Smith of Alleghany, Smith of Wayne, Stevens, Thompson and Whitley—36.

Mr. Rea presented

A report of survey from the Commissioners of Washington County.

Referred to the Committee on Counties and Townships.

Leave of absence was granted Mr. Forkner till Thursday next.

On motion of Mr. Leary,

The House then adjourned, to meet again at 10 o'clock, Tuesday.

TUESDAY, November 30th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Dr. Mason, of the city.

A communication was received from the Attorney General in response to the resolution asking his opinion as to the legal construction of article 10, of the Constitution, in regard to the homestead exemption.

Ordered printed.

Leave of absence was granted Mr. Stilley till Thursday next; to Mr. Harris, of Wake, for ten days from and after Thursday next.

Mr. Leary presented

A petition from a portion of the citizens of Fayetteville and Cumberland county, in relation to taxation.

Referred to the Committee on Finance.

Mr. Mendenhall, from the Committee on Education, to whom was referred

A bill to compensate School Committees,

Reported back the same unfavorably.

Also,

A bill to amend chapter 134, section 19, of the laws of 1868–'69, favorably.

Mr. Harris, from the Committee on Propositions and Grievances, to whom was referred the following named bills and resolutions, reported back the same as follows:

A resolution concerning property destroyed by the Federal army in certain cases, favorably;

A bill to prevent the destruction of game, unfavorably;

A bill to amend an act entitled "An act to prevent the obstruction of fish up Little River," unfavorably;

A petition in favor of George Heine, favorably;

A petition in favor of John L. Wood, without recommendation;

A bill for the divorce of Jordan Trevan, favorably.

Mr. Mayo introduced

A bill to consolidate certain townships.

Referred to the Committee on Counties and Townships.

Mr. Seymour introduced

A bill to authorize the county of Craven to issue bonds for the purpose of paying the present indebtedness of said county.

Referred to the Committee on Counties and Townships.

Also,

A bill authorizing the Commissioners of Craven county to levy a special tax for the support of the poor.

Same reference.

Mr. Williamson introduced

A bill to authorize Sheriffs to advertise for subsistence contracts.

Referred to the Judiciary Committee.

The following named gentlemen asked for and obtained leave to record their votes on the Senate resolution asking an opinion of the Chief Justice and Associate Justices as to the

term of members elected to the present General Assembly, as follows:

Mr. Argo, in the negative; Mr. Seymour, in the affirmative; Mr. Moore, of Alamance, in the negative; Mr. Downing, in the affirmative; Mr. Ingram, in the affirmative; Mr. Gunter, in the affirmative; Mr. Nicholson, in the negative; Mr. Williamson in the affirmative; Mr. Stilley, in the affirmative.

Mr. Malone introduced

A bill to declare valid the election of certain Justices of the Peace elected at the election held on the first Thursday of August, 1869.

Referred to the Judiciary Committee.

Mr. Stilley introduced

A bill in relation to property belonging to the Board of Education.

Referred to the Committee on Education.

A petition in favor of John L. Wood was referred to the Committee on Finance.

Mr. Ashworth introduced

A bill to authorize Z. F. Rush, former Sheriff of Randolph County to collect arrears of taxes for the years of 1865, 1866 and 1867.

Referred to the Committee on Claims.

A resolution in favor of the Sheriff of Nash county was referred to the Committee on Finance.

A bill to amend an act relative to the Western Turnpike road, leading from Asheville to the Tennessee and Georgia lines, was taken from the calendar.

The question being on the passage of the bill on its second reading,

Mr. Harris, of Wake, called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those voting in the affirmative were,

Messrs. Ashworth, Candler, Carson, Carey, Downing, Eagles, Forkner, Gahagan, Gilbert, Graham, Gunter, Harris of Wake.

Hendricks, Hilliard, Hodgin, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly, of Moore, Kinney, Leary, Long of Richmond, Mayo, McCanless, Mendenhall, Morrill, Parker, Pearson, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Seymour, Shaver, Siegrist, Simonds, Smith of Martin, Snipes, Stanton, Stilley, Sweat, Vestal, Waldrop, Williamson and Wilson—49.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Clayton, Davidson, Durham, Ellis, Ferebee, Gibson, Green, Hawkins, High, Hodnett, Humphries, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Robinson, Smith of Alleghany, Thompson, Welch, Whitley and Williams of Sampson—25.

A resolution in regard to poll tax was referred to the Judiciary Committee.

A resolution reducing the *per diem* of members and officers of the General Assembly, &c., was taken up.

Mr. Stevens moved to indefinitely postpone the same, and

The motion prevailed.

Mr. Ellington introduced

A resolution concerning the printing of the calendar.

Adopted, under suspension of the rules.

A bill concerning roads, bridges and ferries, was taken from the calendar.

On motion of Mr. Ferebee,

The Speaker was authorized to appoint a committee to consist of five, to meet the Senate committee on the same subject; and the bill was ordered to be referred to said committee when appointed.

A bill to sell the interest of the State in the North-Carolina and the Atlantic and North-Carolina Railroads was taken up.

Mr. Seymour moved to indefinitly postpone the bill.

On this motion

Mr. Justice, of Rutherford, called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Boddie, Carson, Clayton, Davidson, Dixon, Ferebee, Gahagan, Gibson, Hawkins, Hicks, High, Hinnant, Hodnett, Ingram, Jarvis, Justice of Rutherford, Leary, Long of Richmond, Matheson, Mayo, McMillan, Mendenhall, Morrill, Morris, Nicholson, Price, Renfrow, Robbins, Seymour, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Wayne, Sweat, Waldrop and Williamson—40.

Those who voted in the negative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Crawford, Downing, Durham, Eagles, Ellis, Gatling, Gilbert, Graham, Green, Grier, Gunter, Hendricks, Hodgin, Hoffman, Hudgings, Kelly of Davie, Kelly of Moore, Kinney, McCanless, Moore of Alamance, Moore of Chowan, Painter, Parker, Pou, Proctor, Rea, Robinson, Reynolds, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Vestal, Vest, Whitley, Williams of Sampson and Wilson—42.

The bill was then

Referred to the Committee on Finance.

Mr. Seymour introduced

A bill to change the times of holding the terms of the several Superior Courts of the counties composing the Third Judicial District.

Referred to the Judiciary Committee.

Also,

A resolution concerning taxes assessed upon the Raleigh and Gaston and the Wilmington and Weldon Railroads.

Same reference.

A resolution concerning the working of roads was referred to the Committee on Internal Improvements.

A resolution in favor of the Tax Collector for Hyde and the Sheriff of Chatham county, was referred to the Finance Committee.

A resolution instructing the Judiciary Committee was referred to the Judiciary Committee.

A resolution of instruction to the Speaker was referred to the Committee on Propositions and Grievances.

A bill in favor of the Sheriffs of Rutherford and Polk counties was referred to the Finance Committee.

A Senate bill to further protect the interest of the State in certain railroads, and to require accountability on the part of their officers, was referred to the Finance Committee.

A resolution in favor of the Sheriff of Hertford county, was referred to the Finance Committee.

A bill to amend an act concerning townships, was referred to the Committee on Counties and Townships.

Mr. Smith, of Alleghany, introduced

A resolution in favor of the Sheriff of Alleghany.

Referred to the Committee on Finance.

A bill for the removal of obstructions in Lumber river,

Passed its second and third readings.

Mr. Pou introduced

A bill to re-endow the University of North Carolina.

Referred to the Committee on Education.

A bill to amend an act to prohibit the sale of intoxicating liquors on the Western North Carolina Railroad was taken up.

Mr. Ames offered a proviso to the bill, to the effect that it should not apply to hotel keepers.

The amendment was adopted; and

The bill, as amended, passed its second and third readings.

On motion of Mr. Smith, of Martin,

The House then adjourned, to meet again at ten o'clock, Wednesday.

WEDNESDAY, December 1st, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Long, of the House.

Mr. Gunter presented

A petition from a portion of the citizens of Chatham county asking relief for the Sheriff of said county.

Referred to the Finance Committee.

Mr. Grier presented

A memorial from a portion of the citizens of Mecklenburg county in regard to the formation of a new township.

Referred to the Committee on Counties and Townships.

Mr. Sykes presented

A memorial in favor of Charles McMannin.

Referred to the Finance Committee.

Mr. Nicholson asked for and obtained leave to record his vote in the affirmative on the motion to suspend the rules and adopt the resolution providing for an election of the members of the General Assembly on the first Thursday in August, 1870; and in the negative on the motion to refer said resolution to the Committee on Privileges and Elections.

Mr. Ames, from the Committee on Internal Improvements, reported

A bill to incorporate the Granville Railroad Company, favorably.

Also,

A bill to amend an act relative to the Western Turnpike Road, leading from Asheville to Murphy, favorably.

Mr. Parker introduced

A resolution in relation to taking a recess; and obtained thereon a suspension of the rules.

Mr. Proctor moved to lay the resolution on the table, and

On this motion

Mr. Proctor called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Barnes, Candler, Carson, Clayton, Crawford, Downing, Eagles, Ellis, Farrow, Forkner, Gahagan, Gatling, Gibson,

Hayes, Hicks, Hilliard, Hudgings, Justice of Rutherford, Leary, Mayo, McCanless, Mendenhall, Moore of Alamance, Moore of Chowan, Painter, Price, Proctor, Renfrow, Robbins, Robinson, Reynolds, Siegrist, Simonds, Stevens, Sykes, Vestal, Welch, Williamson and Wilson—39.

Those who voted in the negative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Blair, Boddie, Davidson, Dixon, Ellington, Ferebee, Gilbert, Graham, Green, Grier, Gunter, Harris of Franklin, Hendricks, High, Hodgin, Hodnett, Horney, Humphries, Ingram, Justus of Henderson, Kelly of Davie, Long of Chatham, Long of Richmond, Malone, Matheson, McMillan, Moring, Morrill, Nicholson, Parker, Pearson, Pou, Ragland, Rea, Seymour, Shaver, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Thompson, Vest, Waldrop, White, Whitley, Williams of Harnett and Williams of Sampson—52.

Mr. Welch moved to amend the resolution by striking out the word "twenty" and inserting the words "twenty-first," and by striking out the words "fourth of January" and inserting the words "twenty-ninth of December."

Mr. Candler moved to amend the amendment by inserting the word "thirteenth" in lieu of the words "twenty-first" and the words "third of January" in lieu of the words "twenty-ninth of December."

Mr. Justice, of Rutherford, moved to lay the whole subject on the table, and

The motion to table prevailed.

Mr. Barnett introduced

A bill to authorize the Petersburg Railroad Company to run a new road.

Referred to the Committee on Internal Improvements.

Mr. Pou introduced

A resolution authorizing a recess of the General Assembly.

Laid over.

A message was received from the Senate, transmitting

A bill to forbid the sale of spirituous liquors within three

miles of what is known as the Clegg Copper Mine, in Chatham county;

A bill to prevent the sale of spirituous liquors within three miles of Silver Hill, in Davidson county; and

A bill in relation to the banks.

Mr. Wilson introduced

A resolution in favor of the Sheriff of Burke county.

Referred to the Committee on Claims.

Mr. Ames introduced

A resolution in favor of E. F. Cox, late Sheriff of Lenoir county.

Referred to the Finance Committee.

Mr. Seymour, from the Judiciary Committee, reported

A bill authorizing committees of investigation to enforce the attendance of witnesses, favorably;

A bill to incorpate the Randolph Manufacturing Company, unfavorably; and

A substitute for a resolution in regard to poll tax.

Mr. Vest moved a reconsideration of the vote by which the House agreed to go into Committee of the Whole at 10½ o'clock on Thursday the 2d instant.

Mr. Sweat moved to lay this motion on the table; and

On this motion

Mr. Leary called for the yeas and nays.

The call being sustained,

The motion to table prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Barnes, Blair, Boddie, Candler, Carey, Clayton, Durham, Eagles, Ellis, Farrow, Ferebee, Gibson, Green, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hayes, Hicks, High, Hinnant, Hodnett, Kelly of Davie, Leary, Long of Chatham, Malone, Matheson, McMillan, Moring, Moore of Alamance, Nicholson, Painter, Parker, Peck, Pou, Price, Renfrow, Robbins, Robinson, Reynolds, Shaver, Smith of Alleghany, Smith of Wayne, Stanton, Sweat, Sykes, Thomp-

son, Welch, Whitley, Williams of Harnett, Williams of Sampson and Williamson—53.

Those who voted in the negative, were,

Messrs. Ames, Armstrong, Ashworth, Banner, Dixon, Downing, Ellington, Forkner, Franklin, Gatling, Gilbert, Graham, Gunter, Hendricks, Hoffman, Ingram, Kelly of Moore, Kinney, Long of Richmond, McCanless, Mendenhall, Moore of Chowan, Morrill, Pearson, Proctor, Ragland, Seymour, Siegrist, Stevens, Vestal, Vest, Waldrop and Wilson —33.

Mr. Graham introduced

A resolution to provide for the care of the insane of the State; and

The resolution was

Adopted under suspension of the rules.

Mr. Gatling introduced

A resolution in relation to the taxes assessed upon the Raleigh and Gaston and the Wilmington and Weldon Railroad Companies; and

The resolution was

Adopted under suspension of the rules.

Mr. Wilson introduced

A bill to change a part of the line between Burke and McDowell counties.

Laid over.

Mr. Davidson introduced

A bill to charter the Bank of Statesville.

Referred to the Committee on Corporations.

Mr. Sykes introduced

A bill to incorporate the Mechanics' Savings, Loan and Building Association.

Referred to the Committee on Corporations.

A bill for the suppression of outrages committed by disguised persons, was

Made special for eleven o'clock, January 2nd, 1870.

Mr. Ashworth withdrew, by leave, a bill to incorporate the Randolph Manufacturing Company.

On motion of Mr. Pou,

The rules were suspended, and

A bill to authorize committees of investigation to enforce the attendance of witnesses, was taken up.

Mr. Harris, of Wake, moved to re-refer the bill to the Committee on the Judiciary.

Pending which,

On motion of Mr. Downing,

The House adjourned to meet again at ten o'clock, Thursday.

THURSDAY, December 2d, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Nicholson, of the House.

Leave of absence was granted Mr. Carey for Friday next; to Mr. Forkner, from Saturday next until the following Monday; to Mr. Barnett, for Friday next; to Mr. Grier, for one week; to Mr. Crawford, from Friday next till the following Monday.

Mr. Dixon, from the Committee on Claims, reported back, with the recommendation that they be referred to the Finance Committee,

A resolution in favor of G. T. Patterson, Sheriff of Burke county; and

A bill to authorize Z. F. Rush, the former Sheriff of Randolph county, to collect arrears of taxes.

The resolution and bill were referred to the Finance Committee.

Mr. Ames, from the Committee on Internal Improvements, reported back

A bill authorizing the Petersburg Railroad Company to run a new road, favorably; and

Under suspension of the rules, the bill

Passed its second and third readings.

Mr. Reynolds introduced

A resolution in regard to night sessions.

Laid over.

Mr. Waldrop introduced

A resolution authorizing the Commissioners of Polk county to levy a special tax.

Referred to the Finance Committee.

The Speaker announced the name of Mr. Barnes as additional to the Finance Committee.

Mr. Malone introduced

A bill to authorize the present Sheriffs to make title to land sold by former Sheriffs.

Referred to the Judiciary Committee.

Mr. Smith, of Martin, introduced

A bill to provide for taking bond in cases of bastardy.

Referred to the Judiciary Committee.

Mr. McMillan introduced

A bill in relation to taking fish from the waters of the North East branch of the Cape Fear river.

Referred to the Judiciary Committee.

At ten and a half o'clock,

On motion of Mr. Pou,

The House resolved not to go into a Committee of the Whole until Saturday, at ten and a half o'clock.

A bill to authorize committees of investigation to compel the attendance of witnesses was

Re-committed to the Judiciary Committee.

A bill to amend an act relative to the Western Turnpike Road leading from Asheville to the Tennessee and Georgia lines was taken up, and

Passed its final reading.

A bill to compensate School Committees was

Re-referred to the Committee on Education.

Mr. Reynolds introduced

A bill to amend chapter 184 and 185 of the Public Laws passed at the session of 1868–'69.

Referred to the Judiciary Committee.

Mr. Seymour introduced

A bill to provide for the payment of arrears of salary of Robert B. Gilliam, as one of the Judges of the Superior Court.

Referred to the Judiciary Committee.

Mr. Downing introduced

A resolution reducing *per diem*.

Laid over.

A bill to amend an act to prevent obstruction to the passage of fish up Little river,

Passed its second and third readings.

A bill to amend chapter 134, section 19, of the laws passed at the session of 1868–'69,

Passed its second reading.

A bill to amend an act relative to the Western Turnpike Road leading from Ashville to Murphy,

Passed its second and third readings.

A Senate bill to repeal an act concerning fisheries in Carteret county,

Passed its second reading; and was

Made special for Saturday next at half past eleven o'clock.

A bill to prevent the destruction of game failed to pass its second reading.

A bill for the divorce of Jordan Trevan, failed to pass its second reading.

A bill to investigate the affairs of certain railroad companies, was taken up.

Mr. Justice, of Rutherford, moved to amend the first section of the bill to the effect that a joint committee of five, to consist of three on the part of the House, and two on the part of the Senate, to be chosen by ballot of the respective Houses,

should be raised to co-operate with the Superintendent of Public Works.

The amendment was adopted.

Mr. French moved to postpone the further consideration of the bill until Wednesday next at eleven o'clock.

The motion prevailed.

On motion of Mr. Ames,

The House then adjourned, to meet again at ten o'clock, Friday.

FRIDAY, December 3d, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Cardon, of the city.

Leave of absence was granted Mr. Dixon till Tuesday next; to Mr. Hayes for one week from Monday next; to Mr. Boddie till Tuesday next; to Mr. Grier for one week; to Mr. Kinney from Saturday until Monday next.

Mr. Seymour, from the Judiciary Committee, reported back

A bill to require County Commissioners to meet but once a month, with a substitute.

Mr. Ames, from the Committee on Internal Improvements, reported back

A bill to incorporate the Elizabeth City and Norfolk Railroad Company, favorably.

Mr. French, from the Committee on Education, reported back

A bill in relation to property belonging to the Board of Education, favorably;

And a bill to compensate school committees, with a substitute.

Mr. Renfrow introduced

A resolution concerning a Committee of the Whole.

Laid over.

Mr. French gave notice that he would introduce a resolution amendatory of the rules of the House.

Mr. Sykes introduced

A bill to protect the rights of citizens traveling in public conveyances.

Referred to the Committee on Propositions and Grievances.

Mr. French introduced

A bill to amend an act entitled "An act to provide for a system of public instruction."

Referred to the Committee on Education.

Mr. French introduced

A bill to amend an act entitled "An act to provide for the collection of taxes."

Referred to the Finance Committee.

Mr. Welch introduced

A bill to amend title 20, chapter 1, section 496, of the Code of Civil Procedure.

Referred to the Judiciary Committee.

Mr. Morrill introduced

A bill to compel Railroad Companies to pay full value for cattle and all kinds of stock killed on their respective roads.

Referred to the Committee on Propositions and Grievances.

Mr. Kelly, of Moore, introduced

A bill in favor of Hugh B. Guthrie.

Referred to the Committee on Propositions and Grievances.

Mr. Long, of Richmond, gave notice that he would introduce a bill to charter the Reversion Cotton and Woolen Mills, in Richmond county.

A bill to amend chapter 134, section 19, of the public laws of 1868–'69, was taken from the calendar.

Mr. Hodgin offered a substitute for the same, and

The substitute was adopted, and

Passed its final reading.

A bill in favor of the Sheriff of Caswell was taken up, and

Referred to the Finance Committee.

A bill to extend the corporate limits of the town of Rutherfordton was taken up, and

Passed its second and third readings.

A bill to incorporate Rocky Spring Camp Ground was taken up, and

Passed its second and third readings.

A bill to repeal an act authorizing the Commissioners of Chatham county to levy a special tax was taken up, and

Passed its second and third readings.

A bill to authorize Z. F. Rush, former Sheriff of Randolph county, to collect arrears of taxes, was

Referred to the Finance Committee.

A bill to change a part of the line between the counties of Burke and McDowell, was taken up, and

Passed its second reading.

A bill to amend an act authorizing the formation of corporations for manufacturing, mining, mechanical, chemical and other purposes, was taken up, and

Passed its second reading.

A resolution concerning property destroyed by the Federal army, in certain cases, was taken up.

Mr. Durham moved to lay the resolution on the table.

On this motion

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Blair, Boddie, Carson, Durham, Eagles, Ellington, Gahagan, Gatling, Gibson, Gilbert, Green, Hawkins, High, Humphries, Hudgings, Kelly of Davie, Mayo, Moore of Alamance, Painter, Renfrow, Robbins, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stevens, Sweat, Thompson, Welch, Williams of Harnett and Williams of Sampson—32.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Bowman, Candler, Cawthorn, Clayton, Downing, Ferebee, Forkner, Franklin, French, Graham, Gunter, Hendricks, Hilliard, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Ingram, Justus of Henderson, Justice of Rutherford, Kelley of Moore, Kinney, Leary Long of Chatham, Long of Richmond, Matheson, McCanless, Mendenhall, Moore of Chowan, Morrill, Pearson, Peck, Ragland, Reynolds, Siegrist, Simonds, Snipes, Stanton, Vestal Vest, Waldrop, White, Williamson and Wilson—48.

Mr. Durham moved to amend the resolution, by striking out the second provision of the preamble, and

By striking out the word "loyal" wherever it occurred.

Mr. Moore, of Chowan, called the previous question on the whole.

The question being "Shall the main question be now put?"

The vote was declared in the affirmative.

The question then being on the motion to strike out the second provision of the preamble,

Mr. Moore, of Chowan, called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Davidson, Durham, Ellis, Gatling, Gibson, Green, Hawkins, Hicks, High, Humphries, Malone, Moore of Alamance, Nicholson, Painter, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Sweat, Thompson, Welch, Whitley, Williams of Harnett and Williams of Sampson—27.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnes, Blair, Bowman, Candler, Carson, Cawthorn, Clayton, Downing, Eagles, Ellington, Ferebee, Forkner, Franklin, French, Gahagan, Gilbert, Graham, Gunter, Hendricks, Hilliard, Hinnant, Hodgin, Horney, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham,

Long of Richmond, McCanless, Mendenhall, Moore of Chowan, Morrill, Pearson, Peck, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Siegrist, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sykes, Vestal, Vest, Waldrop, White, Williamson and Wilson—60.

The question then recurring on the motion to strike out the word "loyal,"

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Davidson, Durham, Ellis, Franklin, Gatling, Gibson, Gunter, Hawkins, Hicks, High, Humphries, Kelly of Davie, Malone, Moore of Alamance, Nicholson, Painter, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Sweat, Thompson, Welch, Whitley, Williams of Harnett and Williams of Sampson—29.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnes, Bowman, Candler, Carson, Clayton, Downing, Eagles, Ellington, Ferebee, Forkner, French, Gahagan, Gilbert, Graham, Hendricks, Hilliard, Hinnant, Hodgin, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, McCanless, Mendenhall, Moring, Moore of Chowan, Morrill, Pearson, Peck, Pou, Price, Ragland, Renfrow, Robbins, Reynolds, Seymour, Siegrist, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sykes, Vestal, Vest, Waldrop, White, Williamson and Wilson—59.

The question then recurring on the adoption of the original resolution,

Mr. Moore, of Chowan, called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative, were,

Messrs. Ames, Ashworth, Banner, Barnes, Bowman, Can-

dler, Cawthorn, Clayton, Downing, Eagles, Ellington, Ferebee, Forkner, Franklin, French, Gilbert, Graham, Green, Gunter, Harris of Franklin, Hendricks, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Matheson, McCanless, Mendenhall, Moore of Chowan, Morrill, Nicholson, Pearson, Peck, Pou, Price, Ragland, Rea, Robbins, Reynolds, Seymour, Siegrist, Simonds, Smith of Martin, Snipes, Stanton, Sweat, Sykes, Vestal, Vest, Waldrop, White, Williamson and Wilson—64.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Blair, Boddie, Carson, Durham, Gahagan, Gatling, Gibson, Hawkins, Hicks, High, Hudgings, Malone, Moore of Alamance, Painter, Renfrow, Robinson, Shaver, Smith of Alleghany, Thompson, Welch, Whitley, Williams of Harnett and Williams of Sampson—25.

The Speaker announced the names of Messrs. Stilley and Argo as additional to the Finance Committee.

Mr. Downing introduced

A bill to amend chapter 4 of the laws of 1868–'69, entitled "An act to amend the charter of the Cheraw and Coalfields Railroad Company."

Laid over.

Mr. Smith, of Martin, introduced

A bill to prevent obstruction to the passage of fish up Albemarle sound and its tributaries.

Mr. Smith moved that the bill be referred to a special committee of five.

The motion prevailed, and

The Speaker appointed the following named gentlemen to constitute said committee:

Messrs. Humphries, Gatling, Smith of Martin, Rea and Robbins.

Mr. Price introduced

A bill to amend the charter of the city of Wilmington.

Referred to the Committee on Corporations.

On motion of Mr. Seymour,

The House then adjourned to meet again at ten o'clock, Saturday.

SATURDAY, DECEMBER 4th, 1869.

The House met pursuant to adjournment.

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Shaver, of the House.

Leave of absence was granted Mr. Ragland from Monday next till the following Wednesday.

Mr. French presented

A petition from a portion of the citizens of New Hanover county, in relation to the jurisdiction of magistrates.

Referred to the Judiciary Committee.

A bill in relation to the endowment of the State University was

Made special for Tuesday next at eleven o'clock.

Mr. Ingram introduced

A resolution in relation to the bankrupt law.

Referred to the Judiciary Committee.

Mr. French offered the following as an amendment to apply to the rules of the House:

"*Resolved*, That the rules of this House be so amended that it shall require unanimous consent to transact any other than the regular order of business during the first half-hour of each morning session, unless said business shall have been sooner disposed of."

The rules were suspended, and

The resolution was adopted.

Mr. French introduced

A bill to amend an act to incorporate the Cape Fear Agricultural Association.

Referred to the Judiciary Committee.

Mr. Smith, of Alleghany, introduced

A bill to lay out and construct a public road through the counties of Alleghany and Ashe.

Referred to the Committee on Counties and Townships.

Mr. Stevens gave notice that he would introduce a resolution to amend the rules of the House.

Mr. Durham introduced

A resolution authorizing the Speaker to appoint a committee of three to visit the city of New York and investigate the sale of North Carolina bonds, &c.

The resolution was

Adopted under suspension of the rules.

Mr. Robinson introduced

A resolution of instruction to the Judiciary Committee.

Referred to the Judiciary Committee.

The hour for the House to go into Committee of the Whole having arrived,

On motion of Mr. Pou,

The House resolved not to go into committee until Tuesday next at twelve o'clock.

Mr. Seymour, from the Judiciary Committee, reported back

A bill authorizing committees of investigation to compel the attendance of witnesses, favorably, with amendments.

On motion of Mr. Seymour,

The rules were suspended, and the aforesaid bill was taken up.

The House adopted the amendments offered by the committee; and

The bill, as amended, passed its several readings.

Mr. Malone moved a reconsideration of the final vote on the bill.

Mr. Seymour moved to lay this motion on the table; and

The motion to table prevailed.

Mr. Malone introduced

A resolution authorizing the chairman of the Committee of the Whole, to summon witnesses, &c.

Adopted, under suspension of the rules.

A bill to change the line between the counties of Wilkes, Surry and Alleghany was taken up, and

Passed its second and third readings.

A Senate bill to incorporate the Granville Railroad Company

Passed its second and third readings.

Mr. Smith, of Martin, introduced

A bill to suspend an act to establish a Turnpike Road from Marion, in McDowell county, to Asheville, in Buncombe county.

Ordered printed, and

Referred to the joint committee on the Insane Asylum.

A bill to extend the time for final settlement of Sheriffs with the Public Treasurer

Failed to pass its second reading.

A bill to change the line between the counties of Surry and Alleghany

Passed its second and third readings.

A bill to incorporate the Elizabeth City and Norfolk Railroad Company.

Passed second and third readings.

A bill to prohibit the sale of spirituous liquors within three miles of the Clegg Copper Mine, in Chatham county

Passed its second and third readings.

Mr. Moore, of Chowan, introduced

A resolution concerning the committee authorized to visit the city of New York, &c., and obtained thereon a suspension of the rules.

Mr. Moore, of Chowan, offered an amendment to the resolution beginning, "and until further orders of this House," &c.

On the adoption of the amendment,

Mr. Malone called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Blair, Bowman, Candler, Carson, Carey, Cawthorn, Downing, Eagles, Ellington, Gahagan, Graham, Gunter, Hendricks, Hodgin, Horney, Hudgings, Justus, of Henderson, Justice of Rutherford, Kelly of Moore, Leary, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Peck, Rea, Renfrow, Robbins, Reynolds, Siegrist, Simonds, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop, White, Williamson and Wilson—45.

Those who voted in the negative were,

Messrs. Armstrong, Barnes, Clayton, Davidson, Ellis, Farrow, Ferebee, French, Gibson, Gilbert, Green, Hawkins, Hicks, Hilliard, High, Hinnant, Hodnett, Hoffman, Humphries, Kelly of Davie, Long of Chatham, Long of Richmond, Malone, Nicholson, Painter, Pou, Shaver, Smith of Alleghany, Smith of Wayne, Whitley, Williams of Harnett and Williams of Sampson—32.

The question then being on the adoption of the resolution as amended,

Mr. Malone called for the yeas and nays.

The call being sustained,

The resolution was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Blair, Bowman, Candler, Carson, Cary, Cawthorn, Downing, Ellington, Gahagan, Graham, Hendricks, Hodgin, Horney, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Mayo, McCanless, More of Chowan, Morrill, Peck, Rea, Renfrow, Robbins, Reynolds, Simonds, Stanton, Stevens, Vest, Waldrop, White, Williamson and Wilson—36.

Those who voted in the negative were,

Messrs. Armstrong, Banner, Clayton, Eagles, Ellis, Farrow, Ferebee, French, Gibson, Gilbert, Green, Gunter, Hawkins, Hicks, Hilliard, High, Hinnant, Hodnett, Humphries, Ingram, Kelly of Davie, Leary, Long of Chatham, Long of Richmond,

Malone, Matheson, Mendenhall, Nicholson, Painter, Pou, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Sweat, Sikes, Whitley, Williams of Harnett and Williams of Sampson—40.

A bill to prevent the sale of spirituous liquors within three miles of Silver Hill, in Davidson county,

Passed its second reading.

The Speaker having appointed Messrs. Durham, Hodgin and Moore, of Chowan, to constitute the committee authorized by resolution to visit New York, &c.

Messrs. Hodgins and Moore asked to be excused from serving.

The gentlemen were excused.

Mr. Seymour introduced

A bill to incorporate the Reliance Bucket and Axe Company, No. 1, of the city of Newbern.

Referred to the Committee on Corporations.

Mr. Price introduced

A resolution to provide homes for the homeless.

Laid over.

Mr. Moore, of Chowan, introduced

A resolution in favor of Maria Egypta de Olivera.

Referred to the Committee on Propositions and Grievances.

On motion of Mr. Seymour,

The House then adjourned, to meet again at ten o'clock, Monday.

MONDAY, December 6th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Reagan.

Leave of absence was granted Mr. Vest from the 24th of

December to the 4th of January, to Mr. Hinnant for one day, to Mr. Whitley for one week from Thursday next, to Mr. Price from Tuesday next until the following Friday.

The Speaker announced Messrs. Malone and Seymour, *vice* Messrs. Hodgin and Moore of Chowan, on the committee of three to visit the city of New York to investigate the sale of State bonds, &c.

Mr. French introduced

A resolution providing for a recess of the General Assembly.

Laid over.

Mr. Ellington introduced

A resolution to make uniform the introduction of bills and resolutions.

Laid over.

Mr. Blair introduced

A resolution providing for a recess of the General Assembly.

Laid over.

Mr. Whitley, from the special committee of three, appointed to consider and report upon

A bill to repeal sections 56, 57, 58, 59, 60, 61 and 62, of chapter 270 of the laws passed at the session of 1868 and 1869, entitled "An act concerning the powers and duties of State officers,"

Reported back the same, with a substitute; and,

On motion of Mr. Whitley,

The substitute was ordered printed, and made special for Tuesday, the 21st of December, at 11 o'clock.

Mr. French introduced

A bill to create a Board of Railroad Commissioners.

Ordered printed, and

Laid over.

Mr. Ellis introduced

A bill to incorporate the Newton Female Academy.

Referred to the Committee on Corporations.

On motion of Mr. Bowman,

The rules were suspended, and

The resolution introduced by Mr. Blair, providing for a recess of the General Assembly, was taken up.

Mr. French moved to amend by striking out the word "on" and inserting in lieu thereof the words, "but shall receive."

On the adoption of this amendment,

Mr. Renfrow called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affimative were,

Messrs. Banner, Carson, Carey, Cherry, Eagles, Farrow, Foster, French, Gilbert, Graham, Hilliard, Hudgings, Leary, Mayo, Morrill, Price, Robbins, Seymour, Simonds, Smith of Martin, Stevens, Sweat and Wilson—23.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Blair, Bowman, Candler, Cawthorn, Clayton, Davidson, Downing, Durham, Ellis, Ellington, Ferebee, Franklin, Gahagan, Gatling, Gibson, Gunter, Harris of Franklin, Hawkins, Hendricks, Hicks, High, Hodgin, Hodnett, Horney, Humphries, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, Matheson, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Parker, Pou, Rea, Renfrow, Robinson, Reynolds, Shaver, Sinclair, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Sykes, Thompson, Vestal, Vest, Welch, White, Whitley, Williams of Harnett, Williams of Sampson and Williamson—66.

The question recurring on the adoption of the original resolution,

Mr. Welch moved to lay the resolution on the table.

On this motion

Mr. Robinson called for the yeas and nays.

The call being sustained,

The motion was lost by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Banner, Barnes, Carson, Carey, Cherry, Clay-

ton, Eagles, Ellington, Farrow, Franklin, Gahagan, Gatling, Gilbert, Harris of Franklin, Hicks, Hilliard, Hudgings, Jarvis, Leary, Mayo, McCanless, Moore of Alamance, Moore of Chowan, Morrill, Painter, Price, Rea, Robbins, Robinson, Reynolds, Simonds, Smith of Martin, Stevens, Sweat, Sykes, Vestal, Waldorp, Welch, Williamson and Wilson—41.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Ashworth, Blair, Bowman, Candler, Cawthorn, Davidson, Downing, Durham, Ferebee, Foster, French, Gibson, Graham, Green, Gunter, Hawkins, Hendricks, High, Hodgin, Hodnett, Hoffman, Horney, Humphries, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, Matheson, McMillan, Mendenhall, Nicholson, Parker, Pou, Renfrow, Seymour, Shaver, Sinclair, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Thompson, White, Whitley, Williams of Harnett and Williams of Sampson—51.

Mr. Smith, of Martin, moved to amend the resolution by striking out the word "or," and inserting in lieu thereof the words "but shall receive ten cents per mile to and from the seat of government."

On the adoption of this amendment,

Mr. Vestal called for the yeas and nays.

The call being sustained,

Mr. Stevens moved to indefinitely postpone the further consideration of the subject.

The motion to indefinitely postpone was lost.

The yeas and nays were then called as per order; and

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Barnes, Carson, Carey, Eagles, Ellington, Farrow, French, Gilbert, Graham, Hilliard, Hudgings, Justus of Henderson, Leary, Mayo, Price, Robbins, Smith of Martin, Stevens and Waldrop—20.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Blair, Bow-

man, Candler, Cawthorn, Clayton, Downing, Durham, Ellis, Ferebee, Foster, Franklin, Gahagan, Gibson, Green, Gunter, Harris of Franklin, Hawkins, Hendricks, Hicks, High, Hodgin, Hodnett, Horney, Humphries, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, Matheson, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Parker, Pou, Rea, Renfrow, Robinson, Reynolds, Seymour, Shaver, Sinclair, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Sweat, Thompson, Vestal, Vest, Welch, Whitley, Williams of Harnett, Williams of Sampson, Williamson and Wilson—67.

Mr. Welch moved to amend by striking out the word "twentieth" and inserting in lieu theref the words "twenty-fourth," and by striking out the word "tenth" and inserting the word "third."

On the adoption of this amendment,

Mr. Welch called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnes, Carson, Carey, Cawthorn, Cherry, Clayton, Ellington, Franklin, Gilbert, Harris of Franklin, Hicks, Hilliard, Hoffman, Hudgings, Leary, McCanless, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Painter, Rea, Robinson, Sinclair, Simonds, Smith of Martin, Stevens, Sweat, Vestal, Welch, White, Williamson and Wilson—35.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Blair, Bowman, Candler, Downing, Durham, Eagles, Farrow, Ferebee, French, Gahagan, Gibson, Graham, Green, Gunter, Hawkins, Hendricks, High, Hodgin, Hodnett, Horney, Humphries, Ingram, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McMillan, Morris, Pou, Renfrow, Robbins, Seymour, Shaver, Smith of

Alleghany, Smith of Wayne, Snipes, Stanton, Thompson, Waldrop, Whitley, Williams of Harnett and Williams of Sampson—47.

Mr. Downing moved to amend by striking out the word "twentieth" and inserting in lieu thereof the word "thirteenth."

Mr. Williamson offered a substitute for the whole.

Mr. Blair called the previous question on the whole.

The question being, "Shall the main question be now put?"

The vote was declared in the affirmative.

The amendment offered by Mr. Downing, and the substitute offered by Mr. Williamson, having been rejected,

The question recurred on the adoption of the original resolution.

On the adoption of the resolution,

Mr. Welch called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Barnett, Blair, Bowman, Candler, Carey, Downing, Durham, Ellis, Ferebee, Foster, French, Gibson, Graham, Green, Gunter, Harris of Franklin, Hawkins, Hendricks, High, Hodgin, Hodnett, Hoffman, Horney, Humphries, Ingram, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Matheson, Mayo, McMillan, Mendenhall, Moore of Alamance, Morrill, Nicholson, Parker, Peek, Pou, Price, Renfrow, Seymour, Shaver, Sinclair, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Thompson, White, Whitley, Williams of Harnett and Williams of Sampson—56.

Those who voted in the negative were,

Messrs. Banner, Barnes, Cawthorn, Clayton, Eagles, Ellington, Farrow, Franklin, Gahagan, Gilbert, Hicks, Hilliard, Justus of Henderson, Leary, Malone, McCanless, Moore of Chowan, Painter, Robbins, Robinson, Reynolds, Simonds,

Smith of Martin, Stevens, Sweat, Sykes, Vestal, Waldrop, Welch, Williamson and Wilson—31.

Mr. Moore, of Chowan, introduced

A resolution of instruction to the Judiciary Committee.

Laid over.

Mr. Candler introduced

A resolution concerning leaves of absence.

Laid over.

Mr. French moved a reconsideration of the vote by which the House adopted a resolution authorizing the appointment of a committee of three to visit the city of New York and investigate the sale of State bonds, &c.

Mr. Jarvis moved to lay this motion on the table.

On this motion,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Banner, Barnes, Clayton, Davidson, Durham, Ellis, Ellington, Farrow, Ferebee, Gatling, Gibson, Green, Harris of Franklin, Hawkins, Hicks, Hilliard, High, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Long of Chatham, Malone, Matheson, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch, Whitley, Williams of Harnett, and Williams of Sampson—41.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Bowman, Carson, Carey, Cawthorn, Cherry, Downing, Eagles, Foster, Franklin, French, Gahagan, Gilbert, Gunter, Hendricks, Hodgin, Hoffman, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Leary, Long of Richmond, Mayo, Mendenhall, Moore of Chowan, Morrill, Parker, Peck, Price, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Vestal, Vest, Waldrop, White, Williamson and Wilson—49.

The question then recurring on the motion to reconsider,

On motion of Mr. Seymour,

The House adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, DECEMBER, 7th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Dr. Mason, of the city.

Leave of absence was granted Mr. Parker indefinitely, to Mr. Gunter from Saturday next until the following Tuesday, to Mr. Peck from Wednesday until the following Saturday.

Mr. Hinnant introduced

A resolution amendatory of the rules of the House.

Laid over.

Mr. Sinclair, from the Committee on Private Bills, reported back

A bill to authorize the late sheriff of Alexander county to collect arrears of taxes, favorably,

And

A bill to authorize George W. Wynn, former tax collector of Hertford county, to collect arrears of taxes, favorably.

On motion of Mr. Sinclair,

The rules were suspended; and

The bills reported back from the Committee on Private Bills

Passed their second and third readings.

Mr. French introduced

A resolution in favor of W. S. Wiggins and J. C. Harper.

Referred to the Committee on Claims.

Mr. Long, of Richmond, introduced

A resolution in favor of P. W. Stancill, of Richmond county.

Referred to the Committee on Claims.

Mr. Vestal introduced

A bill to amend section 2, chapter 32, of the public laws.

Referred to the Committee on Internal Improvements, with instructions to report on Wednesday.

A message was received from the Senate transmitting

An amendment to the House resolution requesting the North Carolina representatives in Congress to use their influence for the total abatement of the United States direct tax on real estate.

Laid over.

Also,

A message transmitting

A substitute for the House bill to amend section 485, title 19, chapter 12, of the Code of Civil Procedure.

Laid over.

Also,

A message transmitting

An amendment to the House bill to incorporate the Valley Railroad company.

Laid over.

Also,

A message transmitting

A bill requiring Clerks and Treasurer's of townships to give bonds;

A bill to amend an act to regulate proceedings in the partition and sale of real and personal property;

A bill authorizing the Commissioners of Perquimans county to issue bonds;

A bill in regard to the duties of the Judges of the Superior Court;

A bill to extend the powers of Coroners to the Commissioners of Wrecks, in special cases;

A resolution concerning the public credit; and

A resolution requesting an additional report from the Auditor.

The aforesaid bills were referred to appropriate committees.

Mr. Pou introduced

A resolution in relation to Penitentiary bonds; and obtained thereon a suspension of the rules.

The question being on the passage of the resolution on its second reading,

Mr. Cherry called for the yeas and nays.

The call being sustained,

The resolution passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Candler, Carson, Carey, Cawthorn, Cherry, Clayton, Davis, Davidson, Durham, Eagles, Ellis, Ellington, Forkner, Foster, Franklin, French, Gahagan, Gilbert, Graham, Gunter, Harris of Franklin, Hawkins, Hendricks, Hicks, High, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moring, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Peck, Pou, Price, Rea, Renfrow, Robbins, Robinson, Reynolds, Seymour, Shaver, Sinclair, Simonds, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stilley, Sykes, Thompson, Vestal, Vest, Welch, White, Whitley, Williams of Harnett, Williams of Sampson, Williamson and Wilson—87.

The resolution then passed its third reading.

Mr. Moore, of Chowan, introduced

A bill to lay off and establish a new county by the name of Dare.

Laid over.

The unfinished business of Monday was then taken up, it being a motion to reconsider the vote by which the House

adopted a resolution authorizing the appointment of a committee of three to visit the city of New York, &c.

On the motion to reconsider,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion to reconsider prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Carson, Carey, Cawthorn, Cherry, Crawford, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Hendricks, Hilliard, Hodgin, Hoffman, Horney, Hudgings, Justus of Henderson, Justice of Rutherford, Leary, Long of Richmond, Mayo, Mendenhall, Moring, Moore of Chowan, Morrill, Peck, Price, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Sweat, Sykes, Vestal, Vest, Waldrop, White, Williamson and Wilson —54.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Barnes, Clayton, Davis, Davidson, Durham, Ellis, Ellington, Ferebee, Gibson, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Long of Chatham, Malone, Matheson, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch, Whitley, Williams of Harnett and Williams of Sampson—39.

Mr. French moved to indefinitely postpone the resolution.

On this motion,

Mr. Malone called for the yeas and nays.

The call being sustained,

The motion to indefinitely postpone was lost by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Blair, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Downing, Eagles, Forkner, Franklin, French, Gahagan, Graham, Gunter, Hodgin, Hudg-

ing, Justice of Rutherford, Mayo, Moring, Moore of Chowan, Morrill, Peck, Price, Rea, Renfrow, Robbins, Seymour, Simonds, Stevens, Stilley, Sweat and Waldrop.—35.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Banner, Barnes, Clayton, Davis, Davidson, Durham, Ellis, Ellington, Ferebee, Gatling, Gibson, Gilbert, Harris of Franklin, Hawkins, Hendricks, Hicks, Hilliard, High, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Malone, Matheson, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Robinson, Shaver, Sinclair, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sykes, Thompson, Vestal, Vest, Welch, White, Whitley, Williams of Harnett, Williams of Sampson, Williamson and Wilson—56.

Mr. Seymour moved to lay the resolution on the table.

On this motion,

Mr. Malone called for the yeas and nays,

The call being sustained,

The motion to table prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Blair, Carson, Carey, Cawthorn, Cherry, Crawford, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Hendricks, Hodgin, Hoffman, Horney, Hudgings, Justice of Rutherford, Kelly of Moore, Leary, Long of Richmond, Mayo, Mendenhall, Moring, Moore of Chowan, Morrill, Peck, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Sweat, Vestal, Vest, Waldrop, White, Williamson and Wilson—52.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Banner, Clayton, Davis, Davidson, Durham, Ellis, Ellington, Ferebee, Gatling, Gibson, Harris of Franklin, Hawkins, Hicks, High Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Long of Chatham, Malone, Matheson, McCanless, McMillan, Moore of Alamance,

Nicholson, Painter, Pou, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch, Whitley, Williams of Harnett and Williams of Sampson—40.

The hour appointed for the House to go into Committee of the Whole having arrived,

The Speaker called Mr. Pou to the Chair, and

The House went into Committee of the Whole.

The Committee of the Whole having been in session,

The Chairman reported that the committee had taken further testimony, and asked leave to sit again.

The report of the committee was endorsed by the House.

A message was received from the Governor, transmitting

A communication from Hon. D. A. Jenkins, in relation to a summons requiring him to appear before the Committee of the Whole.

The message and communication were ordered printed.

On motion of Mr. Seymour,

The House then adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Mr. Pou moved that the House do not go into Committee of the Whole again until Thursday next at eleven o'clock.

On this motion,

Mr. Sinclair called for the yeas and nays.

The call being sustained,

The motion was lost by the following vote:

Those who voted in the affirmative were,

Messrs. Blair, Boddie, Cherry, Davis, Harris of Franklin, Hicks, Hinnant, Hoffman, Ingram, Kelly of Moore, Long of

Chatham, Long of Richmond, Pou, Sinclair, Snipes and Thompson—16.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnett, Barnes, Cawthorn, Clayton, Crawford, Durham, Ellis, Ellington, Forkner, Franklin, French, Gibson, Graham, Gunter, Hawkins, Hendricks, Hilliard, Hodgin, Hodnett, Hoffman, Horney, Humphries, Jarvis, Justice of Rutherford, Kelly of Davie, Kinney, Leary, Malone, Mayo, McCanless, Mendenhall, Moring, Moore of Alamance, Moore of Chowan, Nicholson, Peck, Renfrow, Robbins, Seymour, Shaver, Simonds, Smith of Alleghany, Smith of Martin, Stanton, Stevens, Stilley, Sweat, Sykes, Vestal, Vest, Waldrop, White, Williams of Harnett, Williams of Sampson, Williamson and Wilson—59.

Mr. Ellington introduced

A resolution to employ a phonographic reporter for the House when in Committee of the Whole.

Laid over.

On motion of Mr. Justice, of Rutherford,

The House went into Committee of the Whole.

At ten minutes before nine o'clock,

The chairman of the Committee of the Whole rose and reported

That the Committee of the Whole had been in session, had taken further testimony, and asked leave to sit again.

The report was endorsed.

Mr. Price introduced

A resolution concerning the House when in Committee of the Whole.

Laid over.

The House then adjourned to meet again at 10 o'clock, Wednesday.

WEDNESDAY, December 8th, 1869.

The House met pursuant to adjournment,

Mr. French in the Chair.

Prayer by the Rev. Mr. Shaver, of the House.

Leave of absence was granted Mr. Hawkins from Thursday next until the 16th of December; to Mr. Smith, of Alleghany, from the 16th to the 20th of December; to Mr. Smith, of Martin, from the 16th to the 20th of December; to Mr. Robbins for one week; to Mr. Rea from the 16th to the 20th of December; to Mr. Shaver from the 17th to the 20th of December.

Mr. Sinclair introduced

A resolution concerning the House when in Committee of the Whole.

Laid over.

Mr. Hendricks introduced

A bill to change the lines between the counties of Wilkes and Surry.

Referred to the Committee on Counties and Townships.

Mr. Snipes, from the Committee on Propositions and Grievances, reported back

A bill for the relief of Hardie Lynch, unfavorably;

A bill in favor of Hugh B. Guthrie, favorably, with amendments;

A resolution in favor of Maria Egypta de Olivera, recommending its reference to the Committee on Claims;

A resolution in regard to public highways, mills and churches closed during the war, unfavorably; and

A resolution of instruction to the Speaker, unfavorably.

Mr. Justice, of Rutherford, introduced

A bill to regulate the meetings of the County Commissioners, and for other purposes.

Referred to the Committee on Counties and Townships.

Also,

A bill to amend section 564, chapter 279, of the laws of 1868 and 1869.

Referred to the Judiciary Committee.

A bill to amend section 485, title 19, chapter 12, of the Code of Civil Procedure, was taken from the calendar.

The question being on the adoption of the Senate substitute for the bill,

Mr. Leary called for the yeas and nays.

The call being sustained,

The substitute was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Candler, Crawford, Eagles, Gahagan, Hicks, Hinnant, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Leary, Long of Richmond, Pou, Renfrow, Robbins, Reynolds, Siegrist, Stevens, Sweat, Vest, Waldrop and Williamson—23.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Carson, Cawthorn, Davidson, Dixon, Downing, Durham, Ellis, Ellington, Farrow, Forkner, Foster, Franklin, Gatling, Gilbert, Graham, Gunter, Harris of Franklin, Hawkins, Hendricks, Hilliard, High, Hodgin, Hodnett, Humphries, Jarvis, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Mayo, McCanless, Mendenhall, Moring, Moore of Alamance, Moore of Chowan, Morrill, Nicholson, Rea, Shaver, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stilley, Sykes, Thompson, Vestal, Welch, White, Whitley, Williams of Harnett, Williams of Sampson and Wilson—63.

The hour for the special order having arrived, it being

A bill to create a Board of Railroad Commissioners,

Mr. Sinclair moved to postpone the special order for five minutes.

On this motion,

Mr. Sinclair called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Banner, Blair, Boddie, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Durham, Eagles, Farrow, Franklin, Gahagan, Gilbert, Graham, Harris of Franklin, Hawkins, Hendricks, Hicks, Hilliard, Hinnant, Hodgin, Humphries, Hudgings, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Malone, Matheson, Mayo, Mendenhall, Moring, Moore of Alamance, Nicholson, Pou, Renfrow, Robbins, Robinson, Reynolds, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Thompson, Vestal, Waldrop, Welch, White, Whitley, Williams of Harnett, Williams of Sampson, Williamson and Wilson—67.

Those who voted in the negative were,

Messrs. Ames, Ashworth Barnes, Gunter, Hoffman, McCanless and Moore of Chowan—7.

On motion of Mr. Sinclair,

The rules were suspended, and

A resolution concerning the House when in Committee of the Whole, was taken up.

Pending the discussion of the resolution the five minutes allotted expired.

Mr. Moore, of Chowan, moved that the resolution introduced by Mr. Sinclair and the bill introduced by Mr. French, viz: A bill to create a Board of Railroad Commissioners, be referred to a special committee of five, to be appointed by the Chair.

The motion prevailed; and

The Speaker, *pro tem.* (Mr. Seymour) appointed the following named gentlemen to constitute said Special Committee:

Messrs. Moore of Chowan, Sinclair, French, Argo and Jarvis.

Mr. Candler introduced

A bill to amend an act entitled "An act to charter the Western North Carolina Railroad."

Referred to the Committee on Internal Improvements.

The hour for the second special order having arrived, it being a bill to re-endow the University of North Carolina, the same was taken up.

Mr. Downing moved to postpone the further consideration of the bill until the second Wednesday in January, 1870.

The motion prevailed.

A bill to compensate school committees was taken up.

The question being on the adoption of the substitute for the bill offered by the Committee on Education,

The substitute was adopted; and

The bill passed its second and third readings.

Mr. Leary moved to reconsider the vote by which the bill to re-endow the University of North Carolina was postponed until the second Wednesday in January, 1870.

Mr. Argo moved to lay this motion on the table.

The motion to table prevailed.

A bill to change the lines between the counties of Wilkes and Alleghany, was taken from the calendar, and

Passed its second and third readings.

Mr. Jarvis asked to be excused from serving on the Special Committee of five, appointed to consider and report upon the resolution introduced by Mr. Sinclair and the bill introduced by Mr. French.

Objection being made to the withdrawal of Mr. Jarvis,

Mr. Moore, of Chowan, moved that Mr. Jarvis be excused, as requested.

The motion prevailed, and

The Speaker *pro tem.* appointed, in lieu of Mr. Jarvis, Mr. Malone.

On motion of Mr. Williamson,

A resolution in regard to poll tax was

Made special for Thursday, Dec. 9, at eleven o'clock.

Mr. Robinson introduced

A resolution in regard to an act to provide for a system of public instruction.

Laid over.

Leave of absence was granted Mr. Barnes from Tuesday next until the following Monday.

On motion of Mr. Justice, of Rutherford,

The House then adjourned to meet again at ten o'clock, Thursday.

THURSDAY, DECEMBER 9th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Long, of the House.

Leave of absence was granted Mr. Snipes, from the 18th to the 20th of December; to Mr. Ellis, from the 17th to the 20th of December; to Mr. Stanton, from the 16th to the 20th of December; to Mr. Clayton, from the 16th to the 20th; to Mr. Moore, of Alamance, indefinitely; to Mr. Vestal, from the 17th to the 20th; to Mr. Nicholson, from the 17th to the 20th; to Mr. Stilley, from the present to the 20th; to Mr. Long, of Richmond, from the 17th to the 20th.

Mr. Ames, from the Committee on Internal Improvements, reported

A bill to amend an act to charter the Western North Carolina Railroad Company, favorably; and

A resolution regulating the working of roads, unfavorably.

Mr. Graham, from the joint committee on the Insane Asylum, reported

A bill to suspend an act to establish a Turnpike Road from Marion, in McDowell county, to Asheville, in Buncombe county, recommending the reference of the same to the Finance Committee.

The report was endorsed by the House.

Mr. Williams, of Harnett, introduced

A resolution in favor of James R. Grady, Sheriff of Harnett county.

Referred to the Committee on Finance.

Mr. Smith, of Alleghany, introduced

A resolution of instruction to the Code Commissioners.

Laid over.

Mr. Sinclair introduced

A bill in favor of Reuben King, late Sheriff of Robeson county, which,

Under suspension of the rules,

Passed its second and third readings.

Mr. French introduced

A bill to empower the Mayor and Aldermen of the city of Wilmington to remove obstructions from the sidewalks of the streets of said city.

Referred to Committee on Corporations.

Mr. Ames introduced

A bill to allow the Commissioners of Lenoir county to levy a special tax.

Laid over.

Mr. Ames introduced

A bill to authorize the Commissioners of Columbus county to levy a special tax.

Referred to Committee on Finance.

Mr. Williams, of Harnett, introduced

A bill to incorporate the Lumber River Navigation Company.

Referred to the Committee on Private Bills.

Mr. Robbins introduced

A bill to prevent distinction of color on steamboats.

Referred to the Committee on Propositions and Grievances.

Mr. Leary introduced

A bill to amend the charter of the town of Fayetteville.

Referred to the Committee on the Judiciary.

A bill to change a part of the line between the counties of Burke and McDowell

Passed its third reading.

A Senate resolution in regard to the Banks

Passed second and third readings.

Mr. Moore, of Chowan, from the special committee of five appointed to consider

A bill to create a Board of Railroad Commissioners, and a resolution concerning the House when in Committee of the Whole,

Submitted a majority report thereon.

Mr. French, from the same committee, submitted a minority report.

Mr. Moore reported favorably, with amendments, on the aforesaid resolution.

Mr. Seymour, from the Committee on Judiciary, reported

A bill to allow Chairmen of County Commissioners to act in cases where Judges of Probate are disqualified, with a substitute.

Under suspension of the rules,

The substitute was adopted, and

The bill passed its second and third readings.

A bill to prevent the sale of spirituous liquors within three miles of Silver Hill, in Davidson county,

Passed its third reading.

A bill to amend an act entitled "An act to amend an act to authorize the formation of corporations for manufacturing, mining, mechanical, chemical and other purposes

Passed its third reading.

A bill to incorporate the Mechanics' Savings, Loan and Building Association

Passed its second and third readings.

The hour for the special order having arrived, it being

A resolve to go into Committee of the Whole,

On motion of Mr. Pou,

The House resolved not to go into Committee of the Whole till Monday next at twelve o'clock.

Mr. Moore, of Chowan, introduced

A resolution providing for night sessions.

Under suspension of the rules,

The resolution was adopted.

Mr. Moore, from the Committee on Finance, reported

A bill in favor of the Sheriff of Cumberland county, favorably.

Under suspension of the rules,

The bill passed its second reading.

On the third reading of the bill,

Mr. Gunter moved to amend by inserting the words "and the Sheriff of Chatham county."

Lost.

Mr. Cawthorn moved to amend, by inserting the words "and the Sheriff of Warren county."

Lost.

The question recurring on the passage of the bill,

Mr. Gunter called for the yeas and nays.

The call being sustained,

The bill passed its third reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Barnett, Boddie, Carson, Carey, Cherry, Downing, Eagles, Foster, Gahagan, Gibson, Graham, Hicks, Hilliard, Hinnant, Hodnett, Humphries, Hudgings, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Kinney, Leary, Mayo, Mendenhall, Moring, Moore of Alamance, Moore of Chowan, Morrill, Morris, Nicholson, Renfrow, Reynolds, Seymour, Siegrist, Sinclair, Stanton, Stevens, Stilley, Sweat, Williams of Harnett, Williamson and Wilson—45.

Those who voted in the negative were,

Messrs. Ames, Blair, Cawthorn, Clayton, Davis, Dixon, Ellis, Ellington, Forkner, Gunter, Hawkins, Hendricks, Hodgin, Horney, Kelly of Moore, Long of Chatham, McCanless, Painter, Pou, Rea, Robbins, Robinson, Shaver, Smith of

Alleghaney, Smith of Martin, Snipes, Thompson, Vestal, Vest, Whitley and Williams of Sampson—31.

Mr. Shaver introduced

A resolution to adjourn *sine die* on the 20th instant.

Laid over.

The hour for the second special order having arrived, it being

A bill to create a Board of Railroad Commissioners,

Mr. Seymour moved to lay the bill on the table.

On this motion

Mr. Ingram called for the yeas and nays.

The call being sustained,

The motion to table prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Barnes, Boddie, Candler, Carson, Carey, Cawthorn, Clayton, Dixon, Durham, Eagles, Ellis, Forkner, Foster, Franklin, French, Gahagan, Gatling, Gibson, Gilbert, Graham, Gunter, Harris of Franklin, Hawkins, Hendricks, Hicks, High, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Jarvis, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Morris, Nicholson, Painter, Pou, Renfrow, Robbins, Robinson, Reynolds, Seymour, Shaver, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Stilley, Sweat, Thompson, Vestal, Vest, Waldrop, Whitley, Williams of Sampson, Williamson and Wilson—77.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Cherry, Crawford, Downing, Ellington, Hilliard, Ingram, Siegrist and White—12.

On motion of Mr. Gilbert,

The House then adjourned to meet again at ten o'clock, Friday.

FRIDAY, December 10th, 1869.

The House met pursuant to adjournment,

Mr. French in the Chair.

Prayer by the Rev. Mr. Smith, of Martin.

Mr. Kinney presented

A petition from a portion of the citizens of Davidson county in relation to the extension of the corporate limits of the village of Silver Hill.

Referred to the Committee on Propositions and Grievances.

Mr. Vestal introduced

A resolution concerning the investigation of alleged frauds.

Laid over.

Mr. Malone introduced

A resolution to raise a select committee to examine the report of the Public Auditor.

Adopted under suspension of the rules.

Mr. Ellington introduced

A bill to repeal certain sections of chapter 12, of the Revised Code.

Referred to the Judiciary Committee.

The Speaker appointed on the committee authorized by the resolution to raise a select committee to examine the report of the Public Auditor, the following named gentlemen:

Messrs. Malone, Stilley and Leary.

Mr. Mendenhall introduced

A bill making an appropriation for the Deaf and Dumb and Blind Asylum.

Laid over.

Mr. Stilly introduced

A bill concerning registration of voters in towns, cities and villages.

Laid over.

A message was received from the Senate, with information that

The Senate refused to recede from its amendment to

A bill to amend section 485, title 19, chapter 12, of the Code of Civil Procedure.

Mr. Leary moved that the House send a message to the Senate, proposing to raise a Committee of Conference on the same.

The motion prevailed, and

The Speaker appointed on the House branch of the proposed committee,

Messrs. Hinnant, Jarvis and Leary.

A message was received from the Senate, concurring in the passage of

A resolution providing for a recess of the General Assembly.

A message was received from the Senate, transmitting

A resolution concerning printing;

A resolution concerning pensions of the soldiers of the war of 1812;

A concurrent resolution to amend the joint rules;

A bill in relation to costs in criminal cases;

A bill defining the duties of County Commissioners of certain counties in certain cases, and

A bill to repeal chapter 265, of the laws of 1868 and 1869, entitled "An act to require the registration of deeds."

The resolutions and bills were referred to appropriate committees.

On motion of Mr. Williamson,

The rules were suspended, and

A resolution in regard to poll tax was taken up.

The question being on the adoption of the substitute offered by the Judiciary Committee,

No objection being made,

Mr. Williamson accepted the same.

Mr. Seymour offered an amendment to the first section of the bill.

No objection being made,

Mr. Williamson accepted the same.

Mr. Durham offered the following as an additional section to the bill:

"*Be it further enacted*, That the State and county taxes combined (both general and special) shall never hereafter exceed two dollars on each three hundred dollars in value, of the taxable property of the State."

On the adoption of Mr. Durham's amendment,

Mr. Malone called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Boddie, Candler, Clayton, Davis, Durham, Ellis, Franklin, Gatling, Gibson, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hodnett, Humphries, Jarvis, Kelly of Davie, Long of Chatham, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Stanton, Thompson, Welch, Williams of Harnett and Williams of Sampson—38.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Blair, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, French, Gahagan, Hendricks, Hilliard, Hinnant, Hodgin, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Ragland, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Snipes, Stevens, Stilley, Sweat, Sykes, Vestal, Vest, Waldrop, White, Williamson and Wilson—52.

The question then being on the passage of the bill on its second reading,

Mr. Leary called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Blair, Candler, Carey, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, French, Gahagan, Gunter, Hendricks, Hilliard, Hinnant, Hodgin, Hodnett, Horney, Hudgings, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Morris, Pou, Ragland, Renfrow, Robbins, Reynolds, Seymour, Siegrist, Sinclair, Simonds, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Waldrop, White, Williamson and Wilson—58.

Those who voted in the negative were,

Messrs. Armstrong, Barnes, Boddie, Clayton, Davis, Durham, Ellis, Ferebee, Gatling, Gibson, Harris of Franklin, Hawkins, High, Hoffman, Humphries, Ingram, Kelly of Davie, Malone, Matheson, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Vest, Williams of Harnett and Williams of Sampson—29.

The bill then passed its final reading.

Mr. Seymour, from the Judiciary Committee, reported

A bill to amend title 20, chapter 1, section 496, of the Code of Civil Procedure, favorably;

A bill to punish slander, or to make it a misdemeanor, favorably with amendments;

A bill to enable married women to become free traders, unfavorably;

A bill to more effectually punish horse stealing, unfavorably; and

A bill to repeal an act to require the registration of deeds, with a substitute.

Mr. Pou, from the Committee on Privileges and Elections, reported

A bill to declare valid the late elections for township officers, with a substitute.

A communication was received from the Superintendent of

Public Works, transmitting certain reports required by law.

On motion of Mr. Seymour,

The reading of the communication was made special for Saturday at ten and a half o'clock.

On motion of Mr. Seymour,

The House then adjourned to meet again at ten o'clock, Saturday.

SATURDAY, DECEMBER 11th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Blythe, of the Senate.

Mr. Cawthorn presented

A petition from a portion of the citizens of Warren county in relation to taxes.

Referred to the Committee on Propositions and Grievances.

Mr. Waldrop introduced

A bill in favor of the Sheriff of Polk county.

Referred to the Committee on Propositions and Grievances.

Mr. Argo introduced

A bill to amend chapter 279 of the public laws of 1868 and 1869.

Referred to the Judiciary Committee.

Mr. Smith, of Wayne, gave notice that he would introduce a bill to incorporate the North Carolina Eastern Central Agricultural Society and Fair Grounds.

Mr. Graham introduced

A bill providing for the support of the Insane Asylum for the next fiscal year.

Referred to the Finance Committee.

Mr. Nicholson introduced

A bill to prevent the felling of trees in Big Hunting creek.

Referred to the Committee on Propositions and Grievances.

Mr. Malone introduced

A resolution requesting the Governor to direct that no further disposition of bonds shall be made by certain Railroad companies.

Laid over.

Mr. Robinson introduced

A resolution in regard to postal routes.

Laid over.

Mr. Crawford introduced

A bill to prevent the destruction of certain species of game in Granville county.

Referred to the Committee on Propositions and Grievances.

Mr. Moore, of Chowan, introduced.

A resolution instructing the Committee on Salaries and Fees.

Laid over.

Mr. Reynolds introduced

A bill to prevent disturbance at or within fifty yards of Jerusalem Church, in Northampton county.

Laid over.

A report from the Superintendent of Public Works was read and

Ordered printed.

Mr. Sinclair introduced

A resolution in reference to the Bank of North-Carolina.

Under suspension of the rules

Ordered printed, and

Made special for Monday next, at eleven o'clock.

Mr. Sinclair introduced

A bill to amend chapter 184 of the laws of 1868 and 1869.

Referred to the Committee on the Judiciary.

A bill making an appropriation for the Deaf and Dumb and Blind Asylum was taken up, and

Passed its second reading, by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnett, Blair, Boddie, Candler, Carson, Cawthorn, Cherry, Clayton, Davidson, Dixon, Downing, Durham, Eagles, Ellington, Ferebee, Forkner, French, Gahagan, Gibson, Graham, Green, Harris of Franklin, Hawkins, Hilliard, High, Hinnant, Hodgin, Hodnett, Horney, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Malone, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Morris, Nicholson, Painter, Proffit, Ragland, Renfrow, Robinson, Reynolds, Seymour, Shaver, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Vestal, Vest, Waldrop, Welch, White, Wilkie, Williams of Harnett, Williams of Sampson, Williamson, Wilson and Wiswall—81.

A message was received from the Senate with information that

The Senate concurred in the proposition to raise a committee of conference on the House bill in relation to apprentices, and announcing as the Senate branch of said committee,

Messrs. Graham and Welker.

Mr. Leary, from the Committee on Corporations, reported

A bill to incorporate the Reliance Bucket and Axe Company, of the city of New Berne, favorably, with amendments.

A bill to amend an act to charter the Western North Carolina Railroad Company

Passed its second and third readings.

A resolution in favor of the Sheriff of Hertford county

Failed to pass its second reading.

Mr. Barnett gave notice that he would introduce a bill in relation to Judges of Probate.

A resolution in favor of the sheriff of Alleghany

Failed to pass its second reading.

A bill in favor of the sheriff of Alleghany

Failed to pass its second reading.

A bill to amend an act relative to issuing bonds for the county of Jackson

Passed second and third readings.

The House concurred in the Senate amendment to the House bill to incorporate the Valley Railroad company.

A bill to allow the Sheriffs of Rutherford and Polk counties further time, &c., was taken up,

Mr. Justice, of Rutherford, offered a substitute for the same.

The substitute was adopted; and

The bill passed its second and third readings.

A resolution amending the rules of the House, was

Adopted.

A resolution providing against and further increase of the public debt, was taken up.

On the adoption of the resolution,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnett, Blair, Candler, Carson, Carey, Cawthorn, Cherry, Clayton, Davidson, Dixon, Downing, Eagles, Ellis, Forkner, Gahagan, Graham, Hawkins, Hilliard, Hodgin, Hoffman, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, McCanless, McMillan, Mendenhall, Morrill, Nicholson, Proffitt, Ragland, Robbins, Robinson, Reynolds, Seymour, Shaver, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Vest, Welch, White, Wilkie, Williams of Harnett, Williams of Sampson, Wilson and Wiswall—71.

Mr. Cawthorn introduced

A bill in favor of the Sheriff of Warren county.

Referred to the Committee on Finance.

A bill to amend title 20, chapter 1, section 496, of the Code of Civil Procedure

Passed its second and third readings.

A resolution in regard to an act to provide for a system of public instruction, was

Ordered printed.

Mr. Hodgin, from the Committee on Finance, reported

A memorial in favor of Charles McMannin, asking to be discharged from further consideration, &c.

The report was adopted.

Mr. Moore, from the Committee on Finance, reported

A resolution in favor of E. F. Cox, late Sheriff of Lenoir county, unfavorably;

A bill to further protect the interest of the State in certain railroads, and to require accountability on the part of their officers, favorably, with amendments;

A resolution granting relief to the collector of tax for Hyde county and the Sheriff of Chatham, unfavorably;

A bill giving the Sheriff of Caswell county further time to collect and pay over taxes, unfavorably;

A resolution in favor of G. T. Patterson, Sheriff of Burke county, favorably, with amendments;

A Senate resolution concerning the public credit, favorably;

A bill authorizing Z. F. Rush, former Sheriff of Randolph county, to collect arrears of taxes for the years 1865, 1866 and 1867, favorably, with amendments;

A resolution requesting an additional report from the Auditor, favorably.

A resolution in favor of the Sheriff of Harnett

Passed its several readings.

Mr. Dixon, from the Committee on Claims, reported

A resolution in favor of P. W. Stansill, unfavorably; and

A resolution in favor of S. Wiggins and J. C. Harper, favorably.

Mr. Graham introduced

A bill to allow the County Commissioners of Montgomery county to levy a special tax.

Laid over.

On motion of Mr. Ellis,

The House refused to concur in the Senate amendment to the House resolution concerning the United States direct tax on real estate, but

Proposed a committee of conference, and

The Speaker appointed, on the part of the House branch of said committee, Messrs. Ellis, Vestal and Moore, of Chowan.

Mr. Ellington introduced

A bill in relation to mileage and *per diem*.

Laid over.

Mr. Wilkie introduced

A resolution authorizing the payment of Doorkeepers.

Laid over.

On motion of Mr. Renfrow,

The House then adjourned to meet again at ten o'clock, Monday.

MONDAY, December 13th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Long, of the House.

Leave of absence was granted Mr. Ingram, from the 16th to the 20th; to Mr. French until Tuesday; to Mr. Malone, from the 17th to the 20th; to Mr. Hendricks, from the 17th to the 20th; to Mr. Justus, of Henderson, from the 18th to the 20th; to Mr. Robinson, from the 15th to the 20th.

A message was received from the Senate transmitting

A resolution in favor of M. A. Bledsoe,

And a bill to charter the Whiteside Mountain Turnpike.

Laid over.

Mr. Moore, from the Committee on Finance, reported

A bill providing for the support of the Insane Asylum for the next fiscal year, favorably.

On motion of Mr. Moore, of Chowan,

The rules were suspended, and

The aforesaid bill was taken up; and

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Allison, Argo, Armstrong, Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Candler, Carson, Carey, Cherry, Crawford, Davis, Davidson, Downing, Durham, Eagles, Ellington, Farrow, Ferebee, Forkner, Franklin, Gahagan, Gibson, Gilbert, Graham, Green, Hawkins, Hendricks, Hilliard, High, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Morrill, Morris, Nicholson, Pou, Proctor, Ragland, Rentrow, Robbins, Robinson, Reynolds, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Welch, White, Williams of Harnett, Williams of Sampson, Wilson and Wiswall—83.

Mr. White, from the Committee on Counties and Townships, reported

A Senate bill defining the duties of the Commissioners of certain counties in certain cases, favorably.

Mr. Sinclair, from the Committee on Private Bills, reported

A bill to incorporate the Lumber River Navigation Company, favorably, with amendments.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A bill in relation to taking fish from the waters of the Cape Fear River, favorably.

Mr. Malone introduced

A bill to allow enterers of vacant lands further time to obtain grants from the State.

Laid over.

Mr. Proctor introduced

A bill authorizing the Commissioners of Robeson county to issue bonds.

Referred to the Committee on Counties and Townships.

Also,

A report from the Commissioners of Robeson county.

Referred to the Committee on Counties and Townships.

Mr. Ashworth, from the Committee on Military Affairs, reported

A resolution concerning soldiers of the war of 1812, favorably.

Mr. Sinclair introduced

A bill to legalize certain marriages in Robeson county.

Referred to the Committee on Finance.

Also,

A bill to repeal an act for the completion of the North Carolina Railroad.

Mr. Seymour introduced

A bill touching the Probate of Deeds of non-residents.

Referred to the Judiciary Committee.

Mr. Boddie introduced

A bill concerning the maintenance of convicts.

Laid over.

Mr. Hodgin introduced

A bill legalizing certain elections.

Referred to the Judiciary Committee.

Mr. Long, of Richmond, introduced

A bill in favor of the former Sheriff of Richmond county.

Laid over.

Mr. Leary introduced

A bill authorizing the Commissioners of Cumberland county to levy a special tax.

Laid over.

Mr. Candler introduced

A bill concerning judgments obtained at special terms of the Superior Court of Buncombe county; and

Under suspension of the rules,

The bill passed its second and third readings.

A bill making an appropriation for the Deaf and Dumb and Blind Asylum

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Allison, Argo, Armstrong, Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Candler, Carson, Carey, Cherry, Clayton, Crawford, Davis, Davidson, Dixon, Downing, Durham, Ellington, Farrow, Ferebee, Forkner, Franklin, Gahagan, Gibson, Gilbert, Graham, Green, Hawkins, Hendricks, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Morris, Nicholson, Painter, Pou, Proffitt, Ragland, Renfrow, Robbins, Reynolds, Seymour, Shaver, Siegrist, Sinclar, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, White, Wilkie, Williams of Harnett, Williams of Sampson, Wilson and Wiswall—88.

A message was received from the Senate transmitting from the Committee of Conference

A substitute for

A bill to amend section 485, title 19, chapter 12, of the Code of Civil Procedure.

The House concurred in the adoption of the substitute.

A bill in relation to mileage and *per diem* of Doorkeepers

Passed its second and third readings.

The report from the special committee appointed to investigate the affairs of the Albemarle and Chespeake Canal Company, was taken up, and

Endorsed by the House.

Mr. Barnett introduced

A bill to authorize the Clerk of the Superior Courts to make title to real estate in certain cases.

Referred to the Judiciary Committee.

A bill to allow entries of vacant lands, &c.,

Passed it second and third readings.

Mr. Moore, of Chowan, introduced

A resolution in favor of the Sheriff of Chowan county.

Referred to the Committee on Finance.

A bill to lay off and establish a new county by the name of Dare, was

Made special for Tuesday, at eleven o'clock.

On motion of Mr. Wilkie,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

A resolution concerning the House when in Committee of the Whole was taken up.

Mr. Welch moved to amend the same by striking out the words "subject to appeal to Committee of the Whole."

On this amendment,

Mr. Moore, of Chowan, called for the yeas and nays.

The call being sustained,

The amendment was lost by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Blair, Boddie, Candler, Clayton,

Davis, Davidson, Durham, Ellington, Farrow, Franklin, Gibson, Green, Harris of Franklin, Hawkins, Hilliard, High, Humphries, Kelly of Davie, Malone, Matheson, McCanless, McMillan, Mendenhall, Moore of Chowan, Nicholson, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch, Williams of Harnett and Williams of Sampson—35.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Eagles, Forkner, Gilbert, Graham, Hinnant, Hodnett, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, Morris, Pou, Proctor, Ragland, Renfrow, Robbins, Reynolds, Siegrist, Sinclair, Snipes, Stanton, Vestal, Vest, Waldrop, White, Wilkie, Williamson, Wilson and Wiswall—38.

The resolution was then adopted.

On motion of Mr. Ames,

The House then adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, December 14th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Atkinson, of the city.

Mr. Painter introduced

A resolution to prohibited absent members from receiving *per diem.*

Laid over.

Mr. McCanless presented a petition from a portion of the citizens of Stokes county in relation to taxes.

Referred to the Finance Committee,

Mr. Kinney introduced

A bill to incorporate the Southern Gold and Copper Mining Company.

Referred to the Committee on Corporations.

Mr. Kinney introduced

A bill to incorporate the Chatham Copper Mining Company.

Referred to the Committee on Corporations.

Mr. Kinney introduced

A bill to incorporate the New York and North Carolina Mining Company.

Mr. Hodgin introduced

A bill to authorize Robert M. Stafford, Sheriff of Guilford county, to collect arrears of taxes.

Referred to the Committee on Finance.

Mr. Kinney introduced

A bill to incorporate the Continental Copper Mining Company.

Mr. Franklin introduced

A bill to incorporate Carey Lodge, No. 198, A. Y. M.

Referred to the Committee on Corporations.

A bill providing for the support of the Insane Asylum for the next fiscal year

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Allison, Ames, Armstrong, Ashworth, Banner, Blair, Boddie, Carey, Crawford, Davidson, Dixon, Downing, Durham, Eagles, Ferebee, Forkner, Franklin, Gahagan, Gibson, Gilbert, Graham, Green, Grier, Harris of Franklin, Hawkins, High, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Moring, Moore of Chowan, Morrill, Morris, Nicholson, Peck, Price, Proctor, Proffitt, Ragland, Renfrow, Robbins, Robinson, Reynolds, Seymour, Siegrist, Sinclair, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Vestal, Vest, Waldrop, Welch,

White, Wilkie, Williams of Harnett, Williams of Sampson, Williamson, Wilson and Wiswall—91.

A message was received from the Senate, transmitting

A bill to extend the corporate limits of the town of Goldsboro';

A bill for the relief of the sureties of J. W. C. Piercy, deceased;

A bill to incorporate the town of Wilksboro';

A bill to amend an act to establish special courts in the cities of Wilmington and Newbern; and

A bill to repeal the ninth section of an act suspending the Code of Civil Procedure in certain cases.

A bill to authorize the Commissioners of Craven County to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Blair, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Davis, Dixon, Durham, Eagles, Ellington, Ferebee, Forkner, Franklin, Gahagan, Gatling, Gibson, Gilbert, Graham, Grier, Gunter, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Mayo, Mendenhall, Moring, Morrill, Morris, Peck, Price, Proffitt, Renfrow, Robbins, Robinson, Reynolds, Seymour, Siegrist, Sinclair, Smith of Wayne, Snipes, Stanton, Stevens, Thompson, Vest, Waldrop, White, Williamson, Wilson and Wiswall—62.

Mr. Shaver voted in the negative.

A bill to prevent disturbance at or within fifty yards of Jerusalem Church,

Passed its second and third readings.

A bill to punish slander or make it a misdemeanor

Passed its second and third readings.

A message was received from the Senate with information that the Senate concurred in the proposition to raise a Committee of Conference on the House resolution in relation to

direct tax on real estate, and Messrs. Winstead and Robbins were announced as the Senate branch of said committee.

The substitute for House bill No. 12, in relation to the powers and duties of State officers, was

Made special for the first Thursday of January, 1870, at 11 o'clock.

The hour for the special order having arrived, the same was taken up, it being

A bill to lay off and establish a new county by the name of Dare.

Mr. Barnett offered a proviso to the bill as an amendment.

Mr. Jarvis moved to indefinitely postpone further consideration of the bill.

On this motion

Mr. Jarvis called the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Allison, Armstrong, Boddie, Cawthorn, Cherry, Clayton, Crawford, Davis, Durham, Ellis, Farrow, Ferebee, Franklin, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hicks, Hilliard, High, Hinnant, Hodnett, Humphries, Jarvis, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McMillan, Mendenhall, Nicholson, Painter, Pou, Proffitt, Ragland, Shaver, Smith of Alleghany, Smith of Wayne, Sweat, Thompson, Welch, Williams of Harnett, Williams of Sampson and Williamson—49.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Barnett, Blair, Candler, Carson, Carey, Dixon, Downing, Eagles, Ellington, Forkner, Gahagan, Gilbert, Graham, Gunter, Horney, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kinney, McCanless, Moore of Chowan, Morrill, Morris, Proctor, Renfrow, Robbins, Robinson, Reynolds, Seymour, Siegrist, Simonds, Smith of

Martin, Snipes, Stanton, Stevens, Sykes, Vest, White, Wilson and Wiswall—43.

A motion to reconsider the final vote on the aforesaid bill was made, and laid upon the table.

Mr. Gunter introduced

A resolution for the relief of Chatham county.

Referred to the Committee on Finance.

Mr. Seymour introduced a bill in relation to Public Libraries.

Referred to Committee on Finance.

Mr. Ellis, from the Joint Committee of Conference, on a resolution concerning the direct tax on real estate, submitted the following report:

The Joint Committee of Conference, to whom was referred the resolution asking our Representatives in Congress to use their influence in getting North Carolina's quota of the United States direct tax, yet uncollected, abated, beg leave to report that the committee have had the same under consideration and report that the committee have agreed to recommend that the Senate recede from its amendment. This report will be made to the Senate by the Senate branch of the committee.

JAS. R. ELLIS,
Chm'n of House Branch of Committee.

Mr. Waldrop introduced

A bill to amend an act concerning the government of counties.

Referred to the Committee on Counties and Townships.

On motion of Mr. Seymour,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment,

Mr. Malone moved to suspend the rules for the purpose of taking up

A resolution requesting the Governor to direct that no further disposition of bonds shall be made by certain Railroad Companies.

Pending which,

On motion of Mr. Ames,

The House adjourned to meet again at ten o'clock, on Wednesday, 15th December.

WEDNESDAY, December 15th, 1869.

The House met pursuant to adjourment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Morris, of the House.

Mr. French introduced

A bill to amend the 27th section of chapter 7, of the Revised Code.

Referred to the Committee on the Judiciary.

Mr. Painter introduced

A bill to extend the time for perfecting entries in Jackson county.

Referred to the Committee on Counties and Townships.

Mr. Malone introduced

A bill to allow the Sheriffs to disregard the homestead and personal property exemption, on executions founded on a judgment for crime.

Referred to the Committee on the Judiciary.

A message was received from the Senate, transmitting

A resolution to withdraw State bonds from the market.

Laid over.

Mr. Pou introduced

A resolution suspending payment of interest on the special tax bonds of the State.

Laid over.

Mr. Banner introduced

A bill to incorporate Watauga Lodge, A. Y. M.

Laid over.

Mr. French introduced

A bill to protect citizens of North Carolina in certain cases.

Referred to the Judiciary Committee.

Mr. Kelly, of Davie, introduced

A resolution in favor of the Sheriff of Davie County.

Referred to the Finance Committee.

Mr. Price presented

A petition in favor of James Ashe.

Referred to the Committee on Propositions and Grievances.

Mr. Sykes introduced

A bill to extend the corporate limits of Elizabeth City.

Referred to the Committee on Corporations.

Mr. Cawthorn introduced

A bill to authorize the Commissioners of Warren county to levy a special tax.

Laid over.

A bill to repeal an act requiring the registration of deeds was taken up.

The substitute offered by the Judiciary Committee for the bill was

Adopted.

The bill passed its second reading.

On motion of Mr. Seymour,

The bill was then made special for the first Friday after the recess of the General Assembly.

The Speaker announced the following gentlemen as managers under resolution of the House:

Messrs. Seymour, Gatling, Sinclair, Welch and Candler.

Mr. Peck introduced

A bill to amend the charter of the Town of Tarboro'.

Laid over.

Mr. Justice, of Rutherford, introduced

A bill fixing the fees of County Treasurers, and obtained thereon a suspension of the rules.

Mr. Pou moved to lay the bill on the table, and

The motion to table prevailed

A bill to amend the charter of the town of Tarboro'

Passed its second and third readings.

A resolution to declare valid the election for Township officers was

Re-referred to the Committee on Privileges and Elections.

A Senate resolution concerning pensions for soldiers of the war of 1812, was adopted.

On motion of Mr. Vestal,

The House then adjourned to meet again at ten o'clock, Thursday.

THURSDAY, DECEMBER 16th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Shaver, of the House.

Mr. Malone introduced

A bill to declare valid the late election of certain Justices of the Peace.

Laid over.

A message was received from the Senate transmitting, for consideration of the House,

A resolution in relation to the Sheriffs of the State;

A resolution in regard to the Military Committee;

A resolution concerning the duties of Constables;

A resolution in relation to heating the capitol building;

A bill concerning the Probate and Registration of Deeds and other instruments;

A bill to amend sections 98 and 100, chapter 270, of the laws of 1868 and 1869; and

A bill to make land owners in certain cases] consolidate the surveys of different tracts.

All laid over.

Mr. Gahagan introduced

A bill to establish a bridge across the French Broad River.

Laid over.

Mr. Leary introduced

A resolution to amend a rule of the House.

Adopted under suspension of the rules.

Mr. Gunter introduced

A bill requiring owners of toll bridges and ferries to give bond.

Referred to the Judiciary Committee.

Mr. Gunter introduced

A bill for the relief of Sheriffs.

Laid over.

Mr. Crawford introduced

A bill in regard to the drawing of jurors.

Referred to the Judiciary Committee.

Mr. Reynolds introduced

A bill to incorporate the Ann Holden and Murfreesboro' Land and Building Association.

Ordered printed, and referred to the Committee on Corporations.

Mr. Ragland introduced

A resolution concerning jurors.

Laid over.

Mr. Grier introduced

A bill to incorporate the trustees of Ebenezer church in Mecklenburg county.

Referred to the Committee on Corporations.

A message was received from His Excellency, the Governor, in relation to the present military law of the State.

Read, and ordered printed and sent to the Senate.

Mr. Franklin introduced

A bill to incorporate a bank in the city of Raleigh.

Referred to the Committee on Corporations.

A bill to require County Commissioners to meet but once a month, was taken up.

Mr. Seymour offered a substitute for the bill.

The substitute was adopted, and

The bill passed its second and third readings.

Mr. Seymour moved a reconsideration of the vote by which the House resolved to hold night sessions.

The motion prevailed.

A message was received from the Senate submitting an amendment to the House resolution concerning the mileage and *per diem* of Doorkeepers, &c.

The House concurred in the adoption of the amendment.

A Senate bill to extend the corporate limits of the town of Goldsboro, was taken up.

Mr. Smith, of Wayne, moved to indefinitely postpone the bill.

On this motion

Mr. Smith called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Allison, Armstrong, Boddie, Davis, Davidson, Durham, Ellis, Ferebee, Gatling, Green, Grier, Harris of Franklin, Hawkins, Jarvis, Kelly of Davie, Kelly of Moore, Malone,

McMillan, Moore of Alamance, Nicholson, Painter, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch, Williams of Harnett and Williams of Sampson—28.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Barnett, Blair, Carson, Carey, Cawthorn, Cherry, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Hinnant, Hodgin, Horney, Hudgings, Justice of Rutherford, Kinney, Leary, Long of Chatham, Mayo, McCanless, Mendenhall, Morris, Pearson, Peck, Price, Proctor, Ragland, Renfrow, Reynolds, Seymour, Siegrist, Simonds, Stevens, Sweat, Vestal, Vest, White, Wilkie, Williamson and Wilson—46.

The bill then passed its second and third readings.

Mr. Sweat moved a reconsideration of the vote by which the House indefinitely postponed

A bill fixing the fees of county Treasurers.

Pending which,

On motion of Mr. Leary,

The House adjourned to meet again at ten o'clock, Friday

FRIDAY, December 17th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Long, of the House.

On motion of Mr. Vest,

A Senate resolution in relation to the Sheriffs of the State was

Made special for the second Tuesday in January.

On motion of Mr. Seymour,

A Senate bill for the better protection of life and property was taken up.

The question being on the passage of the bill on its second reading,

Mr. Seymour called for the yeas and nays.

The call being sustained,

No quorum voted.

After repeated calls of the House, begun and suspended,

The question re-recurred on the passage of the bill on its second reading,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Gunter, Harris of Franklin, Mendenhall, Snipes, White and Williams of Sampson—7.

Those who voted in the negative were,

Messrs. Speaker, Ashworth, Banner, Barnett, Blair, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Hinnant, Hodgin, Hoffman, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Mayo, McCanless, Moring, Morrill, Morris, Pearson, Peck, Pou, Price, Proctor, Ragland, Renfrow, Reynolds, Seymour, Sinclair, Simonds, Stevens, Sweat, Vestal, Vest, Waldrop, Wilkie, Williamson, Wilson and Wiswall—54.

On the passage of the bill,

Mr. Seymour called the previous question.

The question being "Shall the main question be now put?"

The vote was declared in the affirmative.

The question then recurring on the passage of the bill on its final reading.

Mr. Seymour called for the yeas and nays.

The call being sustained,

The bill failed to pass its final reading by the following vote, no quorum voting.

Those who voted in the affirmative were,

Messrs. Speaker, Ashworth, Banner, Barnett, Blair, Carson,

Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Hinnant, Hodgin, Hoffman, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Mayo, McCanless, Moring, Morrill, Morris, Pearson, Peck, Pou, Price, Proctor, Ragland, Renfrow, Reynolds, Seymour, Sinclair, Simonds, Stevens, Sweat, Vestal, Vest, Waldrop, Wilkie, Williamson, Wilson and Wiswall—54.

Those who voted in the negative were,

Messrs. Ellington, Gunter, Horney, Mendenhall, Snipes and White—6.

On motion of Mr. Seymour,

The bill was then made special for the first Thursday after the recess of the General Assembly.

A message was received from the Senate transmitting

A bill to amend an act entitled " An act to amend section 18, of an act relative to special proceedings in cases of Mills;"

A resolution asking our representatives in Congress to use their influence for the total abatement of the United States direct tax on real estate; and

A bill in favor of certain sheriffs.

Laid over.

Mr. Wilson introduced

A bill to authorize the Commissioners of Burke county to levy a special tax.

Laid over.

On motion of Mr. French,

The House then adjourned, to meet again at five o'clock, Monday morning.

MONDAY, December 20th, 1869.

The House met pursuant to adjournment.

The Speaker announced that he would appoint an additional

Engrossing Clerk for the House, whose business it should be to properly engross all bills now on the calendar, and all bills for third reading.

The following message was received from the Senate:

SENATE CHAMBER,
Raleigh, December 20th, 1869.

MR. SPEAKER:—The Senate is now ready to execute joint resolution to take recess until January the 10th, 1870.

T. A. BYRNES, *Secretary.*

The House concurred in the proposed resolution; and

The Speaker declared the House adjourned until the tenth of January, 1870.

MONDAY, JANUARY 10th, 1870.

At twelve o'clock, M.,

The Speaker called the House to order.

On motion of Mr. Vest,

The House then adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, JANUARY 11th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Mason, of the city.

On motion of Mr. Bowman,

The House then adjourned, to meet again at ten o'clock, Wednesday.

WEDNESDAY, January 12th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the chair.

Prayer by the Rev. Mr. Shaver, of the House.

Mr. Harris, of Wake, introduced

A resolution setting aside a contingent fund.

Laid over.

Mr. Vest introduced

A bill to punish persons for violating the town laws of Salem.

Referred to the Judiciary Committee.

Mr. Mendenhall introduced

A bill to prohibit the sale of spirituous liquors within three miles of what are known as the Davidson Copper Mine and the Silver Valley Mine, in Davidson county.

Mr. McCanless introduced

A bill authorizing Sheriffs who have retired from office to make title to land sold for public taxes.

Referred to the Judiciary Committee.

Mr. Hinnant introduced

A resolution against paying members while absent.

Laid over.

Leave of absence was granted Mr. French, until the 20th instant; to Mr. Parker, indefinitely, on account of illness; to Mr. Cherry the same.

On motion,

The rules were suspended, and

The following named bills passed their second and third readings:

A bill to incorporate the Southern Gold and Copper Mining Company;

A bill to incorporate the Chatham Copper Mining Company;

A bill to incorporate the New York and North Carolina Mining Company; and

A bill to incorporate the Continental Mining Company.

On motion of Mr. Hodgin,

The rules were suspended, and

A bill to authorize Robert M. Stafford, Sheriff of Guilford county, to collect arrears of taxes, was taken up.

The bill was so amended as to include the Sheriffs of Nash, Catawba, Granville, Clay, Moore, Rutherford, Randolph, Burke, Hertford, Watauga, Caldwell, Johnson, Macon, Northampton, Orange, Montgomery, Yadkin, Forsythe, Richmond, Wilkes, Halifax, Jackson, Greene, Buncombe, Union, Tyrrell, Harnett, Stokes, Onslow, Robeson, Edgecombe and Franklin.

Mr. Ellis offered a proviso to the bill, which was

Adopted.

Mr. Leary offered a substitute for the whole; when

On motion of Mr. Smith, of Martin,

The bill, as amended, was referred to the Judiciary Committee.

Mr. Downing introduced

A bill to amend section 2, chapter 74, of the public laws of 1868 and 1869.

Referred to the Committee on Corporations.

On motion of Mr. Reynolds,

A bill to amend chapter 184 and 185 of the public laws of 1868 and 1869, was

Made special for February 20th.

On motion of Mr. Vest,

A Senate resolution in relation to the Sheriffs of the State was

Made special for Monday next, at eleven o'clock.

Mr. Leary moved a reconsideration of the vote by which a bill fixing the fees of the county Treasurers of the State was laid on the table.

Mr. Pou moved to indefinitely postpone the motion to reconsider, and on this motion,

Mr. Pou called for the yeas and nays.

The call being sustained,

The motion to indefinitely postpone, prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Blair, Bowman, Candler, Carson, Durham, Ellis, Farrow, Franklin, Gahagan, Graham, Green, Gunter, Hawkins, Hicks, Hinnant, Hodnett, Hoffman, Jarvis, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Peck, Pou, Proctor, Proffitt, Ragland, Robinson, Shaver, Siegrist, Smith of Martin, Sweat, Vestal and Williams of Harnett—44.

Those who voted in the negative were,

Messrs. Banner, Barnes, Boddie, Cawthorn, Clayton, Crawford, Davis, Hodgin, Ingram, Justice of Rutherford, Kelly of Davie, Leary, Morrill, Morris, Reynolds, Simonds, Snipes, Thompson, Vest, Waldrop, White and Wilson—22.

On motion of Mr. Ashworth,

The rules were suspended, and

A bill to authorize Z. F. Rush, former Sheriff of Randolph county, to collect arrears of taxes, was taken up.

The amendments offered by the Committee on Finance were adopted, and

The bill passed its second and third readings.

On motion of Mr. Malone,

The rules were suspended, and

A bill to declare valid the election of certain Justices of the Peace was taken up.

The question being on the adoption of the substitute offered by Mr. Malone,

Mr. Bowman offered an additional section, which was
Adopted.
The substitute, as amended, was then adopted, and
The bill passed its second and third readings.
Mr. Ragland moved to adjourn.
On this motion,
Mr. Pou called for the yeas and nays.
The call being sustained,
The motion was rejected by the following vote:
Those who voted in the affirmative were,
Messrs. Argo, Davis, Durham, Farrow, Harris of Franklin, Hudgings, Kelly of Davie, Ragland and Thompson—9.
Those who voted in the negative were,
Messrs. Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Bowman, Candler, Carson, Cawthorn, Clayton, Downing, Ellis, Forkner, Franklin, Gahagan, Graham, Gunter, Harris of Wake, Hawkins, Hicks, Hinnant, Hodgin, Hodnett, Hoffman, Ingram, Justus of Henderson, Kelly of Moore, Leary, Malone, Mayo, McCanless, Mendenhall, Moore of Alamance, Morrill, Morris, Nicholson, Pou, Proctor, Proffitt, Robinson, Reynolds, Shaver, Siegrist, Simonds, Snipes, Sykes, Vestal, Waldrop, White, Whitley, Williams of Harnett and Wilson—53.
On motion of Mr. Candler,
The rules were suspended, and
A resolution concerning leaves of absence, was taken up.
Mr. Proctor moved to lay the resolution on the table, and on this motion
Mr. Proctor called for the yeas and nays.
The call being sustained,
The motion was lost by the following vote:
Those who voted in the affirmative were,
Messrs, Argo, Armstrong, Barnes, Bowman, Crawford, Davis, Downing, Eagles, Farrow, Franklin, Harris of Wake, Hawkins, Kelly of Moore, Mayo, McCanless, Morris, Proctor, Proffitt, Ragland, Robbins, Shaver and Thompson—22.

Those who voted in the negative were,

Messrs. Ashworth, Banner, Blair, Boddie, Candler, Carson, Cawthorn, Clayton, Ellis, Forkner, Gahagan, Graham, Gunter, Hicks, Hinnant, Hodgin, Hodnett, Hoffman, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Leary, Long of Chatham, Long of Richmond, Malone, McMillan, Mendenhall, Moore of Alamance, Morrill, Nicholson, Painter, Pou, Renfrow, Robinson, Reynolds, Siegrist, Simonds, Snipes, Sweat, Sykes, Vestal, Vest, Waldrop, White, Whitley, Williams of Harnett and Wilson—50.

Mr. Downing moved to indefinitely postpone the resolution.

Mr. Harris, of Franklin, moved to adjourn.

On this motion,

Mr. Mendenhall called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Crawford, Durham, Eagles, Farrow, Green, Gunter, Harris of Franklin, McCanless and Thompson—9.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Candler, Carson, Clayton, Davis, Davidson, Downing, Ellis, Forkner, Franklin, Gahagan, Harris of Wake, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Hoffman, Hudgings, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Malone, Mayo, McMillan, Mendenhall, Moore of Alamance, Morrill, Morris, Nicholson, Painter, Pou, Proctor, Ragland, Robbins, Robinson, Reynolds, Shaver, Siegrist, Simonds, Snipes, Sweat, Sykes, Vestal, Vest, Waldrop, White, Whitley, Williams of Harnett and Wilson—60.

The question then recurring on the motion to indefinitely postpone,

On motion of Mr. Downing,

The House adjourned to meet again on Thursday, at ten o'clock.

THURSDAY, JANUARY 13th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Mr. Long, of the House.

Mr. Argo presented

A petition from a portion of the citizens of Orange county in relation to the passage of the Senate "bill for the better protection of life and property."

The petition was read.

Leave of absence was granted Mr. Hendricks till the 20th instant.

Mr. Siegrist presented

A petition from a portion of the citizens of the county of Wilkes, protesting against the passage of a bill to change the boundary lines between the counties of Wilkes and Surry.

Referred to the Committee on Counties and Townships.

Mr. Leary, from the Committee on Corporations, reported

A bill to incorporate the Ann Holden and Murfreesborough Land and Building Association, favorably.

Mr. Robinson introduced

A resolution for the relief of John Crisp.

Referred to the Committee on Propositions and Grievances.

Mr. Hodnett introduced

A resolution to raise a Joint Select Committee to prepare an address to the people of the State.

Laid over.

Mr. Barnett, from the Committee on Corporations, reported

A bill to extend the corporate limits of the town of Elizabeth City, favorably.

Also,

A bill to amend section 2, chapter 74, of the public laws of 1868 and 1869, favorably.

Mr. Hodgin introduced

A bill to incorporate the North-Carolina Spoke and Handle Manufacturing Company.

Laid over.

Mr. Long, of Richmond, introduced

A Bill to incorporate the Reversion Manufacturing Company.

Referred to the Committee on Corporations.

Mr. Morris introduced

A bill to repeal chapters 34 and 68 of the Revised Code.

Referred the Judiciary Committee.

Mr. Reynolds introduced

A bill to reduce the tax on professional, mercantile and distilling interests.

Referred to the Committee on Finance.

Mr. Proctor introduced

A bill authorizing the Commissioners of Robeson county to issue bonds.

Laid over.

Mr. Eagles introduced

A bill to amend an act concerning "Inspectors for the city of Wilmington."

Laid over.

Mr. Welch introduced

A bill to amend chapter 101, section 37, of the Revised Code.

Referred to the Judiciary Committee.

Also,

A bill to authorize the Commissioners of Haywood county to levy a special tax.

Laid over.

Mr. Robinson introduced

A bill amendatory of "An act relative to the Western Turnpike Road leading from Asheville westward to Murphy, and thence by separate routes to the Georgia and Tennessee lines."

Referred to the Committee on Internal Improvements.

Mr. McCanless introduced

A bill to authorize the Judges of Probate to appoint Trustees in certain cases.

Referred to the Judiciary Committee.

Mr. Hodnett introduced

A bill to authorize a municipal election in the town of Milton, in Caswell county.

Laid over.

On motion of Mr. Hodnett,

The rules were suspended, and

A resolution to raise a joint select committee to prepare an address to the people of the State, was taken up.

On motion of Mr. Seymour,

The resolution was made special for Thursday the 27th instant, at eleven o'clock.

The hour for the special order having arrived, it being

A bill to secure the better protection of life and property,

The same was taken up.

On motion of Mr. Seymour,

The bill was made special for Friday, the 14th instant, at eleven o'clock.

On motion of Mr. Cawthorn,

The rules were suspended, and

A Senate bill in favor of certain Sheriffs, was taken up.

Mr. Hodgin moved to refer the bill to the Finance Committee.

The motion did not prevail.

Mr. Gunter moved to amend the bill by including the words "J. W. Williams, Sheriff of Chatham County," and

On this motion,

Mr. Gunter called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnes, Boddie, Candler, Carson, Clayton, Davis, Davidson, Dixon, Downing, Durham,

Ellis, Ferebee, Gahagan, Green, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Proffitt, Robinson, Shaver, Siegrist, Simonds, Smith of Wayne, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Harnett and Wilson—51.

Those who voted in the negative were,

Messrs. Blair, Cawthorn, Crawford, Eagles, Forkner, Harris of Wake, Hoffman, Hudgings, Leary, Long of Richmond, Malone, Mayo, Moring, Morris, Price, Proctor, Renfrow, Robbins, Reynolds, Seymour and Smith of Martin—21.

Mr. Candler moved to further amend by including the words "Jesse Sumner, sheriff of Buncombe county."

The amendment was adopted.

Mr. Harris, of Wake, moved to refer the bill to the Committee on Finance; when

On motion of Mr. Pou,

The bill was indefinitely postponed.

A message was received from the Senate, transmitting communications from the Chief Justice and Associate Justices, in relation to the term of the present members of the General Assembly, with a proposition to print.

The communications were read, and the proposition to print was concurred in.

Mr. Leary introduced

A bill to amend section 4, chapter 117, of the public laws of 1868 and 1869.

Laid over.

On motion of Mr. Gahagan,

The rules were suspended, and

A bill to establish a bridge across the French Broad river, in Madison county, was taken up; and

The bill passed its second and third reading.

On motion of Mr. Proctor,

The House then adjourned to meet again at ten o'clock, Friday.

FRIDAY, JANUARY 14th, 1870.

The House met pursuant to adjournment,

Mr. Malone in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Mr. Ellis introduced

A resolution in favor of J. C. Kline.

Referred to the Finance Committee, with instructions to report on Tuesday next.

Mr. Davidson introduced

A bill to authorize the Commissioners of McDowell county to levy a special tax.

Laid over.

Mr. McMillan introduced

A bill to amend an act entitled "An act to provide for the holding of special terms of the Superior Courts," ratified the 12th day of April, 1869.

Referred to the Judiciary Committee.

Also,

A bill to authorize the Commissioners of Duplin county to levy a special tax.

Referred to the Committee on Private Bills.

Also,

A bill to amend an act entitled "An act to amend an act entitled 'An act concerning inspectors for the city of Wilmington,'" ratified the 27th day of July, 1868.

Referred to the Committee on Private Bills.

Mr. Ellis introduced

A bill to incorporate Catawba Lodge, of A. Y. M., at Newton, North Carolina.

Laid over.

Also,

A resolution to refund to J. C. Clive taxes overpaid into the Treasury for the year 1869.

Referred to the Committee on Claims.

On motion of Mr. Hodgin,

The rules were suspended, and

A bill to incorporate the North Carolina Spoke and Handle Manufacturing Company, was taken up; and

The bill passed its second and third readings.

On motion of Mr. McMillan,

The rules were suspended, and

A bill in relation to taking fish from the waters of the North-East Branch of the Cape Fear river was taken up, and

The bill passed its second and third readings.

On motion of Mr. Welch,

The rules were suspended, and

A bill authorizing the Commissioners of Haywood county to levy a special tax was taken up, and

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Banner, Barnett, Barnes, Blair, Boddie, Bowman, Carson, Cawthorn, Clayton, Davis, Dixon, Durham, Ferebee, Forkner, Gahagan, Gatling, Gibson, Graham, Green, Gunter, Harris of Wake, Hawkins, Hilliard, High, Hoffman, Hudgings, Ingram, Kelly of Davie, Kelly of Moore, Kinney, Leary, Malone, Mayo, McCanless, McMillan, Moring, Moore of Alamance, Morrill, Morris, Nicholson, Painter, Pearson, Proctor, Proffitt, Robbins, Robinson, Reynolds, Siegrist, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Thompson, Vestal, Vest, Welch, White, Whitley, Williams of Harnett and Wilson—64.

Mr. Renfrow voted in the negative.

A message was received from the Senate transmitting, for concurrence,

A bill to amend an act entitled an act to provide for a system of Public Instruction;

A bill to amend an act concerning the powers and duties of State officers;

A bill to repeal an act entitled "An act amendatory of the act to incorporate the Western North Carolina Railroad Company, ratified the 15th day of February, 1855, and of all acts amendatory thereof;" and

A bill to enlarge the powers of County Commissioners.

All laid over.

Mr. Barnett introduced

A bill for the relief of the sureties of the late Sheriff of Person county.

On motion of Mr. Barnett,

The rules were suspended, and

The bill passed its second and third readings.

On motion of Mr. Reynolds,

The rules were suspended, and

A bill to incorporate the Ann Holden and Murfreesboro' Land and Building Association, was taken up.

Mr. Reynolds moved to amend the bill by striking out, in section first, the word "two," and inserting the word "one" in lieu thereof; also, by striking out in section fourth the words "one dollar," and inserting "fifty cents" in lieu thereof, &c.

The amendments were adopted, and

The bill, as amended, passed its second and third readings.

On motion of Mr. Seymour,

A bill to amend an act entitled "An act to require the registration of deeds," was made special for Tuesday, the 25th instant, at 11 o'clock.

The hour for the special order having arrived, it being

A bill (Senate) to secure the better protection of life and property,

The same was taken up.

Mr. Gunter moved to lay the bill on the table.

On this motion,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Candler, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett, Jarvis, Kelly of Davie, Malone, Matheson, McMillan, Mendenhall, Moring, Nicholson, Painter, Proffit, Ragland, Robinson, Shaver, Siegrist, Smith of Wayne, Snipes, Thompson, Whitley and Williams of Harnett—40.

Those who voted in the negative were,

Messrs. Speaker, Ames, Ashworth, Banner, Barnett, Barnes, Blair, Bowman, Carson, Cawthorn, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Harris of Wake, Hodgin, Hoffman, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Alamance, Moore of Chowan, Morrill, Morris, Pearson, Pou, Price, Proctor, Renfrow, Robbins, Reynolds, Seymour, Smith of Martin, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop, White and Wilson—54.

Mr. Seymour moved to strike out the second section of the bill.

The amendment was adopted.

Mr. Malone moved to amend further by striking out in section first the words "declare such counties in a state of insurrection."

Pending which,

On motion of Mr. Downing,

The House adjourned, to meet again at 10 o'clock, Saturday.

SATURDAY, JANUARY 15th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Morris, of the House.

Mr Gunter introduced

A resolution to adjourn *sine die* on the 31st day of January, 1870.

Laid over.

Mr. Harris, of Wake, introduced

A resolution instructing the Secretary of State.

Laid over.

Mr. Barnes introduced

A resolution to empower Walker Smith, former Sheriff of Rockingham county, to collect arrears of taxes.

Referred to the Finance Committee.

Mr. Justice, of Rutherford, introduced

A bill to repeal chapter 219, of the public laws of 1868 and 1869.

Referred to the Judiciary Committee.

Also,

A bill to fix the compensation of the County Treasurer of Rutherford county.

Laid over.

Mr. Vestal introduced

A bill to amend chapter 270, of the public laws of 1868 and 1869.

Laid over.

Mr. McCanless introduced

A bill to authorize the Commissioners of Stokes County to levy a special tax.

Laid over.

Also,

A bill to refund to the County of Stokes, &c.

Referred to the Committee on Claims.

Mr. Waldrop presented,

A report of survey from the Commissioners of Polk county.

Referred to the Committee on Counties and Townships.

Mr. Smith, of Wayne, introduced

A bill to incorporate the town of Mount Olive.

Referred to the Committee on Corporations.

Mr. Foster introduced

A bill to amend the revenue law in relation to Foreign Insurance Companies.

Laid over.

Mr. Vestal introduced

A bill to authorize the Sheriff of Yadkin county to collect arrears of taxes.

Laid over.

Mr. Malone introduced

A bill to amend an act in relation to landlord and tenant, ratified the 10th day of April, 1869.

Referred to the Judiciary Committee.

Mr. Smith, of Martin, introduced

A bill to license Common School Examiners to teach schools in their respective counties.

Referred to the Committee on Education.

Mr. Proctor introduced

A bill to prohibit bathing in Lumber river within certain limits.

Laid over.

Mr. Foster introduced

A bill concerning convicts.

Laid over.

On motion of Mr. Vest,

The House resolved to go into Committee of the Whole on Wednesday, the 19th instant, at 11 o'clock, for the purpose of continuing certain investigations of alleged frauds.

Mr. Morrill, from the Committee on Private Bills, reported

A bill to authorize the Commissioners of Duplin county to levy a special tax, favorably.

On motion of Mr. McMillan,

The rules were suspended, and

The bill just reported was taken up, and the same

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Candler, Carson, Cawthorn, Clayton, Davis, Davidson, Dixon, Downing, Durham, Eagles, Ellis, Ferebee, Forkner, Foster, Gahagan, Gibson, Graham, Green, Gunter, Harris of Wake, Hawkins, Hodnett, Hoffman, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Morrill, Morris, Nicholson, Proctor, Ragland, Rea, Robbins, Robinson, Reynolds, Seymour, Simonds, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Thompson, Vestal, Vest, Welch, White, Whitley, Williams of Harnett and Wilson—71.

Mr. Shaver voted in the negative.

On motion of Mr. Graham,

The rules were suspended, and

A bill to authorize the Commissioners of Montgomery county to levy a special tax was taken up; and

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Candler, Carson, Cawthorn, Davis, Davidson, Downing, Eagles, Farrow, Ferebee, Foster, Gahagan, Gatling, Gibson, Graham, Green, Gunter, Harris of Franklin, Harris of Wake, High, Hoffman, Hudging, Ingram, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Mayo, McCanless, McMillan, Mendenhall, Morrill, Morris, Pearson, Proctor, Ragland, Reynolds, Seymour, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Thompson, Vestal, Vest, Welch, White, Whitley and Wilson—61.

Mr. Moore, of Chowan, from the Committee on Finance, reported

A bill to authorize the Commissioners of Cumberland county to levy a special tax, favorably, with a substitute.

Also,

A bill in favor of N. R. Jones, Sheriff of Warren county, and other Sheriffs, favorably, with amendments.

On motion of Mr. Moore,

The rules were suspended, and

A bill to authorize the Commissioners of Cumberland county to levy a special tax was taken up.

The substitute offered by the Finance Committee was adopted, and

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Banner, Barnett, Barnes, Boddie, Carson, Cawthorn, Clayton, Crawford, Davis, Dixon, Downing, Durham, Eagles, Ellis, Farrow, Ferebee, Forkner, Foster, Gahagan, Gibson, Graham, Green, Gunter, Harris of Franklin, Harris of Wake, Hawkins, High, Hinnant, Hodgin, Hoffman, Hudgings, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Morrill, Morris, Pearson, Proctor, Proffitt, Ragland, Robbins, Robinson, Reynolds, Seymour, Siegrist, Simonds, Smith of Alleghany, Smith of Wayne, Stanton, Sweat, Thompson, Vestal, Vest, White, Whitley, Williams of Harnett and Wilson—71.

Those who voted in the negative were,

Messrs. Boddie, Hodnett and Shaver—3.

On motion of Mr. Moore, of Chowan,

The rules were suspended, and

A bill in favor of N. R. Jones, Sheriff of Warren county, and other Sheriffs, was taken up.

The amendments offered by the Committee on Finance were concurred in, and

The bill, as amended, passed its second and third readings.

Mr. Moore moved a reconsideration of the vote by which the bill aforesaid passed its final reading.

Mr. Seymour moved to lay this motion on the table, and

The motion to table prevailed.

Mr. Seymour moved that the bill to secure the better protection of life and property be made special for Monday, the 17th inst., at ten and a half o'clock.

The motion prevailed.

On motion of Mr. Davidson,

The rules were suspended, and

A bill to charter the Bank of Statesville was taken up, and

The bill passed its second and third readings.

Mr. Moore, from the Committee on Finance, reported

A bill to authorize the Commissioners of Columbus county to levy a special tax, favorably.

On motion of Mr. Moore,

The rules were suspended, and

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnett, Blair, Boddie, Candler, Carson, Cawthorn, Crawford, Davis, Davidson, Downing, Durham, Ferebee, Forkner, Foster, Gahagan, Gatling, Gibson, Graham, Green, Gunter, Hawkins, Hoffman, Hudgings, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Nicholson, Proffit, Robbins, Robinson, Seymour, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Harnett and Wilson—61.

Those who voted in the negative were,

Messrs. Hinnant, Hodnett, Morrill, Pearson, Pou, Renfrow and Shaver—7.

Mr. Gatling introduced

A bill for the relief of the Sheriff of Gates county.

Referred to the Finance Committee.

On motion of Mr. Welch,

The rules were suspended, and

A bill to authorize the Commissioners of Haywood county to levy a special tax, was taken up; and

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Candler, Carson, Cawthorn, Crawford, Davis, Davidson, Dixon, Downing, Eagles, Ellis, Farrow, Ferebee, Forkner, Foster, Gahagan, Gatling, Gibson, Graham, Green, Gunter, Harris of Franklin, Hawkins, Hodgin, Hodnett, Hoffman, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Richmond, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Morrill, Nicholson, Painter, Proctor, Proffitt, Ragland, Robbins, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Thompson, Vestal, Vest, Waldrop, Welch, White, Whitley and Wilson—70.

Those who voted in the negative were,

Messrs. Pearson and Renfrow—2.

On motion of Mr. Nicholson,

The rules were suspended, and

A bill to prevent the felling of trees in Big Hunting Creek, in Iredell county, was taken up; and

The bill passed its second and third readings.

On motion of Mr. Proctor,

The rules were suspended, and

A bill to authorize the Commissioners of Robeson county to levy a special tax was taken up; and

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Carson, Cawthorn, Crawford, Davis, Davidson, Down-

ing, Eagles, Ellis, Gahagan, Gatling, Gibson, Graham, Green, Gunter, High, Hodgin, Hudgings, Ingram, Kelly of Moore, Kinney, Leary, Long of Richmond, Malone, Mayo, McCanless, McMillan, Moore of Alamance, Morrill, Morris, Nicholson, Pearson, Pou, Proctor, Ragland, Rea, Robinson, Reynolds, Seymour, Shaver, Siegrist, Simonds, Snipes, Stanton, Sweat, Thompson, Vestal, Vest, Waldrop, White, Williams of Harnett and Wilson—57.

Those who voted in the negative were,

Messrs. Ferebee, Harris of Franklin, Hawkins, Hicks and Hodnett—5.

Mr. Kelly, of Moore, introduced

A bill to authorize the Commissioners of Moore county to levy a special tax.

Laid over.

Mr. Snipes introduced

A bill to extend the time for the Sheriff of Hertford county to settle with the County Commissioners.

Referred to the Finance Committee.

Mr. Ames introduced

A resolution in favor of E. F. Cox, late Sheriff of Lenoir county.

Laid over.

On motion of Mr. Davis,

The rules were suspended, and

A Senate bill to repeal an act concerning fisheries in Carteret county, was taken up; and

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Candler, Carson, Cawthorn, Crawford, Davis, Davidson, Dixon, Downing, Eagles, Ellis, Farrow, Ferebee, Forkner, Gahagan, Gatling, Gibson, Graham, Green, Gunter, Hodgin, Hoffman, Hudgings, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Malone, McCanless, Mendenhall, Moore of Alamance, Moore of

Chowan, Morrill, Morris, Nicholson, Proctor, Rea, Robbins, Robinson, Reynolds, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Thompson, Vestal, Vest, Waldrop, Welch, White, Whitley, Williams of Harnett and Wilson—64.

Those who voted in the negative were,

Messrs. Justice of Rutherford and Pearson—2.

On motion of Mr. Ellis,

The rules were suspended, and

A bill to incorporate Catawba Lodge, of A. Y. M., at Newton, N. C., was taken up, and

The bill passed its second and third readings.

On motion of Mr. Cawthorn,

The rules were suspended, and

A bill to authorize the Commissioners of Warren county to levy a special tax was taken up, and

The bill passed its second reading by the following vote:

Those who voted in the affirmative were:

Messrs. Ames, Armstrong, Ashworth, Banner, Blair, Boddie, Candler, Carson, Cawthorn, Davis, Davidson, Downing, Eagles, Farrow, Ferebee, Forkner, Gahagan, Gibson, Green, Gunter, Hodgin, Hodnett, Hoffman, Hudgings, Ingram, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Morrill, Morris, Nicholson, Pearson, Proctor, Proffitt, Rea, Robbins, Robinson, Reynolds, Simonds, Smith of Martin, Snipes, Stanton, Sweat, Thompson, Vestal, Vest, Welch, White, Whitley and Williams of Harnett—60.

Those who voted in the negative were:

Messrs. Hicks, Hinnant, Justice of Rutherford and Shaver—4.

On motion of Mr. Malone,

The rules were suspended, and

A bill to incorporate Watauga Lodge, No. 293, A. Y. M., was taken up; and

The bill passed its second and third readings.

On motion of Mr. Long, of Richmond,

The rules were suspended, and

A bill to allow Harris G. Terry, former Sheriff of Richmond county, to collect arrears of taxes, was taken up; and

The bill passed its second and third readings.

On motion of Mr. Gatling,

The House then adjourned to meet again at ten o'clock, Monday.

MONDAY, JANUARY 17th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Dr. Smith, of the House.

Mr. Barnett, from the Committee on Corporations, reported

A bill to incorporate the Reversion Manufacturing Company, favorably.

Mr. Green introduced

A bill to empower the Commissioners of Stanley county to levy a special tax.

Laid over.

Mr. Smith, of Martin, introduced

A bill to prevent the sale of intoxicating liquors to minors.

Laid over.

Mr. McCanless introduced

A bill to create a lien in favor of Physicians and Surgeons,

Referred to a special committee of three, to be appointed.

Mr. Boddie introduced

A bill authorizing the Commissioners of Nash county to levy a special tax.

Referred to the Finance Committee.

On motion of Mr. Vest,

A Senate resolution in relation to the Sheriffs of the State was made special for Tuesday, the 18th instant, at ten and a half o'clock.

The hour for the special order having arrived, it being

A bill for the better protection of life and property,

The same was taken up,

The question being on the adoption of the amendment offered by Mr. Malone, viz: to strike out in section 1st the words "declare such counties in a state of insurrection."

Pending which,

On motion of Mr. Downing,

The Chair was authorized to appoint a committee of three to wait upon the distinguished philanthropist, Miss Dix, and invite her to a seat upon the floor of the House.

The Speaker appointed Messrs. Downing, Moore of Chowan, and Durham to constitute said committee.

Consideration of Mr. Malone's amendment was then resumed.

Mr. Pou offered the following as a substitute for the amendment offered by Mr. Malone, to follow section first:

"*Provided*, That the military, when called into service, under this section, shall act in support of, and in strict subordination to, the civil power."

Pending which,

On motion of Mr. Leary,

The House adjourned, to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment,

Mr. Bowman in the Chair.

The unfinished business of the morning was taken up.

The Speaker ruled the amendment offered by Mr. Pou out of order; and the same was withdrawn.

The question then recurred on the amendment offered by Mr. Malone, viz: to strike out in section first the words, "declare such counties in a state of insurrection."

Pending which,

A communication was received from the Governor, transmitting the resignation of J. J. Allison, Representative from the county of Orange.

Consideration of Mr. Malone's amendment was then resumed.

Pending which,

On motion of Mr. Price,

The House adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, JANUARY 18th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by the Rev. Dr. Mason, of the city.

Mr. Mendenhall, from the Committee on Education, reported

A bill to license Common School Examiners to teach common schools, &c., unfavorably.

Mr. Harris, of Wake, introduced

A bill to amend a resolution concerning the printing of the laws.

Laid over.

Mr. Crawford introduced

A bill to allow females to sign deeds before township commissioners.

Referred to the Judiciary Committee.

Mr. Stanton introduced

A bill to incorporate Foy's Mathematical and Classical High School.

Referred to the Committee on Corporations.

Mr. Hodgin introduced

A bill to amend chapter sixty-five of the laws of 1868 and 1869.

Laid over.

Mr. McCanless introduced

A bill to make Dan river a lawful fence.

Referred to the Committee on Agriculture, Mechanics and Mining.

Mr. Harris, of Wake, introduced

A bill to incorporate the Farmers and Mechanics' Life Assurance Association.

Referred to the Committee on Corporations.

Mr. Harris, from the Committee on Propositions and Grievances, reported

A bill to repeal an act to incorporate the town of Milton, in Caswell county, favorably.

Mr. Painter introduced

A bill to amend an act to provide for a system of public instruction.

Referred to the Committee on Education.

Mr. Price introduced

A bill to extend the limits of the city of Wilmington.

Laid over.

Mr. Justice introduced

A bill to prescribe the time for Sheriffs to settle their county taxes.

Laid over.

Mr. Welch introduced

A resolution in favor of the representatives of J. D. Justice.

Referred to the Committee on Claims.

Mr. Moore, of Chowan, introduced

A resolution concerning bills prepared by the Code Commission.

Laid over.

On motion of Mr. Smith, of Alleghany,

The rules were suspended, and

A resolution instructing the Code Commission was taken up; and

The resolution was adopted.

On motion of Mr. Vest,

A Senate resolution in relation to the Sheriffs of the State, was

Postponed until a final disposition of the Senate bill to secure the better protection of life and property.

The unfinished business of the previous day was then taken up, it being

The question on Mr. Malone's amendment to section first, of the Senate bill to secure the better protection of life and property, viz: to strike out the words "declare such counties in a state of insurrection."

Pending which,

A message was received from the Senate transmitting, for consideration of the House,

A bill to make the Yadkin river, in Wilkes county, a lawful fence;

A bill to regulate entries of vacant lands;

A bill to authorize the Sheriff of Washington county to collect arrears of taxes;

A bill to incorporate Edgecombe Lodge, No. 298, A. Y. M.;

A bill to incorporate the Wilson Collegiate Seminary for young ladies;

A bill to incorporate the Trustees of Franklin Academy, and

A bill to incorporate the North Carolina Homestead Association.

Consideration of Mr. Malone's amendment to the bill for the better protection of life and property was then resumed,

Pending which,

Mr. Downing moved to adjourn.

On this motion,

Mr. Mendenhall called for the yeas and nays.

The call being sustained,

The motion to adjourn was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Bowman, Cherry, Crawford, Davidson, Downing, Eagles, Gahagan and Kelly of Moore—8.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Barnett, Barnes, Blair, Boddie, Candler, Carson, Cawthorn, Clayton, Dixon, Durham, Ellis, Farrow, Ferebee, Forkner, Gatling, Gibson, Grier, Gunter, Hawkins, Hicks, Hinnant, Hodnett, Hoffman, Hudgings, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Morris, Nicholson, Painter, Pearson, Price, Proctor, Proffitt, Ragland, Rea, Renfrow, Robbins, Robinson, Reynolds, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, White, Whitley, Williams of Harnett and Wilson—74.

A message was received from the Senate transmitting, for consideration,

A resolution of instruction to the Public Treasurer.

On motion of Mr. Pou,

The rules were suspended, and

The aforesaid resolution was taken up.

On the passage of the resolution on its second reading,

Mr. Pou called the previous question.

The question being, "Shall the main question be now put?"

The vote was decided in the affirmative; and

The resolution passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Barnett, Barnes, Blair, Boddie, Bowman, Candler, Carson, Carey, Cawthorn, Clayton, Crawford, Davis, Davidson, Dixon, Durham, Ellis, Farrow,

Ferebee, Forkner, Gatling, Gibson, Green, Grier, Gunter, Harris of Wake, Hawkins, Hicks, Hinnant, Hodnett, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Morris, Nicholson, Painter, Pearson, Pou, Price, Proctor, Proffitt, Ragland, Rea, Renfrow, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Vest, Welch, White, Whitley, Williams of Harnett and Wilson—81.

Mr. Downing voted in the negative.

The resolution then passed its final reading.

By leave,

Mr. Barnett introduced

A resolution of instruction to the Public Treasurer.

Adopted under suspension of the rules.

Mr. Pou moved that the Speaker appoint a committee of three to wait upon the Public Treasurer and inform him of the passage in this House of the resolution just adopted.

The motion prevailed, and

The Speaker appointed Messrs. Pou, Moore of Chowan and Durham to constitute said committee.

Mr. Sweat, by leave, introduced

A bill to allow witnesses attending Justices' Courts a compensation.

Referred to the Judiciary Committee.

On motion of Mr. Morris,

The House then adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Mr. Boddie introduced

A bill declaring a portion of Tar river a lawful fence.

Referred to the Committee on Propositions and Grievances.

Mr. Ingram introduced

A bill in relation to statutes of limitation.

Referred to the Judiciary Committee.

On motion of Mr. Harris, of Wake,

The rules were suspended, and

A bill to amend a resolution concerning the printing of the laws was taken up, and

The bill passed its second and third readings.

The unfinished business of the morning was taken up, it being the amendment offered by Mr. Malone to section first of the Senate bill for the better protection of life and property, viz: to strike out the words "declare such counties in a state of insurrection."

Mr. Sinclair moved that the unfinished business be made special for Wednesday, at ten and a half o'clock.

The motion prevailed.

On motion of Mr. Sinclair,

The rules were suspended, and

A bill concerning the maintainance of convicts was taken up.

Mr. Sinclair moved to amend the bill by inserting, after the word "maintaining" in section first, the word "conveying."

Mr. Vest moved to indefinitely postpone the bill.

Withdrawn.

Mr. Bowman offered the following as an amendment to the amendment offered by Mr. Sinclair:

"*Provided*, That the provisions of this act shall not apply

to persons sentenced to confinement in the penitentiary for a shorter period than nine months."

Mr. Foster offered a substitute for the whole.

Mr. Harris, of Wake, moved to refer the whole matter to the Judiciary Committee, with instructions to report at or before ten and a half o'clock, on Thursday.

On motion of Mr. Harris, of Wake,

The rules were suspended, and

A resolution of instruction to the Secretary of State was taken up, and

Adopted.

On motion of Mr. Sinclair,

The House then adjourned to meet again at ten o'clock, Wednesday.

WEDNESDAY, January 19th, 1870.

The House met pursuant to adjournment,

Mr. Bowman in the Chair.

Prayer by the Rev. Dr. Smith, of the House.

Mr. Barnett, from the Committee on Corporations, reported

A bill to incorporate the North Carolina Homestead Association, favorably;

A bill to incorporate Edgecombe Lodge, A. Y. Masons, favorably;

A bill to incorporate the Wilson Collegiate Seminary for young ladies, favorably;

A bill to incorporate a bank in the city of Raleigh, favorably;

A bill to incorporate the Trustees of Franklin Academy, favorably; and

A bill to incorporate the town of Mount Olive, favorably.

Mr. Ames, from the Committee on Internal Improvements, reported

A bill amendatory of an act relative to the Western Turnpike Road leading from Asheville westward to Murphy, &c., favorably.

Mr. Justice introduced

A bill to create a Mechanics and Laborers' Lien Law.

Referred to the Judiciary Committee.

Also,

A bill to provide for the publication of the private laws.

Laid over.

Mr. Humphries introduced

A bill to empower the Commissioners of Currituck county to levy a special tax.

Referred to the Committee on Finance.

The special order for the hour was then taken up, it being the consideration of the bill for the better protection of life and property;

The question being on the amendment offered by Mr. Malone to section first of the bill, viz: to strike out the words "declare such counties in a state of insurrection."

Pending the discussion of the same,

Mr. Pou moved that when the House adjourn, it should do so to meet again at four o'clock.

The motion prevailed.

On motion of Mr. Harris, of Wake,

The House adjourned to meet again at four o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

The unfinished business of the morning was resumed,

The question being on the amendment offered by Mr. Malone, viz: to strike out of section first the words "declare such counties in a state of insurrection."

Mr. Argo moved to refer the whole matter to a special committee of five, (to be appointed by the Speaker,) whose duty it shall be to examine into the condition of those counties in which insurrection is alleged to exist, &c.

Pending which,

Mr. Seymour moved the previous question on the passage of the bill.

The question being, "Shall the main question be now put?"

The vote was decided in the affirmative.

The question then recurring on the motion of Mr. Argo,

Mr. Argo called for the yeas and nays.

The call being sustained,

The motion was lost by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Ferebee, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, High, Hodnett, Humphries, Jarvis, Kelly of Davie, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch, Whitley and Williams of Harnett—37.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnett, Barnes, Blair, Bowman, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Harris of Wake, Hayes, Hinnant, Hodgin, Hoffman, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moring, Moore of Chowan, Morrill, Morris, Pearson, Peck, Pou, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Siegrist, Sinclair,

Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop and Wilson—64.

The question then being on the amendment offered by Mr. Malone,

On the adoption of this amendment,

Mr. Malone called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Ellington, Ferebee, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hodnett, Humphries, Jarvis, Kelly of Davie, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Proffitt, Robbins, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch, Whitley and Williams of Harnett—40.

Those who voted in the negative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Blair, Bowman, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Harris of Wake, Hayes, Hinnant, Hodgin, Hoffman, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moring, Moore of Chowan, Morrill, Morris, Pearson, Peck, Pou, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Siegrist, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop, White and Wilson—64.

Previous notice having been given,

The following amendments were received and disposed of as follows:

By Mr. Seymour:

Amend the first section by adding thereto the words "and in such case the Governor is further authorized to call upon

the President for such assistance, if any, as in his judgment may be necessary to enforce the law."

Adopted.

By Mr. Seymour:

Amend section three by adding thereto the words "and any Judge before whom such case is pending may, upon his own motion, make such removal."

Adopted.

By Mr. Seymour:

Amend section third, by inserting in line four, after the word "person" the words "who have been, or who hereafter may be."

Adopted.

By Mr. Seymour:

Amend section three, by striking out of line six the word "any" and inserting the word "an."

Adopted.

By Mr. Seymour:

Amend section four, by inserting after the word "violation" the words "of any offence mentioned in section third."

Adopted.

By Mr. Seymour:

An additional section, to be titled "section six," viz:

SEC. 6. That the costs, on conviction under indictment in section third of this act, shall be paid by the Commissioners of the county where the offender was convicted, on the certificate of the Clerk of the Court where the trial may be had; and, if necessary, said Commissioners shall levy a tax for that purpose on all subjects of taxation in said county against the property of the persons convicted for the costs as aforesaid.

Adopted.

By Mr. Welch:

Amend section third, line 12, by inserting after the word "county" the words "in his judicial district."

On this amendment,

Mr. Welch called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Banner, Barnett, Barnes, Boddie, Bowman, Clayton, Davis, Davidson, Durham, Ellis, Ellington, Ferebee, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Jarvis, Kelly of Davie, Long of Chatham, Malone, Matheson, McMillan, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Thompson, Vestal, Welch, Whitley and Williams of Harnett—47.

Those who voted in the negative were:

Messrs. Ashworth, Blair, Carson, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Harris of Wake, Hayes, Hodgin, Hoffman, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Mayo, McCanless, Mendenhall, Moring, Moore of Chowan, Morrill, Morris, Pearson, Peck, Pou, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Stanton, Stevens, Sweat, Sykes, Vest, Waldrop, White and Wilson—51.

By Mr. Justus:

Amend section third, line twelve, by inserting after the word "county" the words "in his district, or adjoining district."

Adopted.

By Mr. Nicholson:

Amend section first by striking out all after the word "whenever" down to the word "to" in the sixth line, and inserting the words "the civil authorities in any county are unable to execute the civil law in the county, they shall notify the Governor."

On this amendment,

Mr. Nicholson called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Ferebee, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Jarvis, Kelly of Davie, Long of Chatham, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Thompson, Vestal, Welch, Whitley and Williams of Harnett—43.

Those who voted in the negative were,

Messrs. Ashworth, Barnett, Blair, Bowman, Carson, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Harris of Wake, Hayes, Hodgin, Hoffman, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Richmond, Mayo, McCanless, Moring, Moore of Chowan, Morrill, Morris, Pearson, Peck, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Stanton, Stevens, Sweat, Sykes, Vest, Waldrop and Wilson—54.

Mr. Pou offered the following as a substitute for the whole, viz:

AN ACT TO SECURE THE BETTER PROTECTION OF LIFE AND PROPERTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the Governor is hereby authorized and empowered, whenever in his judgment the civil authorities in any county are unable to protect its citizens in the enjoyment of life, liberty or property, to declare such county to be in a state of insurrection, and to call into active service the militia of the State to such an extent as may be necessary to suppress such insurrection: *Provided*, That the military, when so called into service, shall act in support of, and in strict subordination to, the civil power.

Sec. 2. That upon motion of a Solicitor of a District, supported by an affidavit that said Solicitor does not believe an impartial trial can be had in the county in which an offence is charged to have been committed, it shall be the duty of the Judge of the said District to remove the trial of any person indicted in any county in the State for murder, conspiracy or violation of an act entitled "An act making the act of going masked, disguised or painted a felony," ratified the twelfth of April, eighteen hundred and sixty-nine, from the county in which such offence may have been committed, to such other county as the Judge may designate. And it shall be the duty of the Judge to designate the nearest county in which in his opinion an impartial trial can be had.

Sec. 3. In addition to the usual oath taken by jurors, all jurors empannelled to try any of the offences mentioned in the foregoing section, shall take the following oath or affirmation:

"I do solemnly swear (or affirm,) that I am not a member of any secret political society bound to secrecy by oath or affimation of its members. I further swear, that I am not a member of any secret society or organization formed for the purpose of intimidating any of the citizens of this State, or for the purpose of executing punishment for crimes or offences, without authority of the Courts of law."

(Sections 4, 5 and 6, same as original bill.)

Sec. 7. That the expenses attending the calling the militia into active service as herein provided, shall be paid by the Treasurer of the State, upon the warrant of the Governor, and it shall be the duty of the Commissioners of the county declared to be in a state of insurrection, and in which such service was rendered, to reimburse, within one year, the treasury of the State the expenses thus paid: *Provided*, That whenever a person shall be convicted of any of the offences mentioned in the second section of this act, said expenses of the militia shall be taxed in the bill of costs against the person or persons

convicted, and when collected the same shall be paid into the treasury of such county.

SEC. 8. That all laws or clauses of laws in conflict with this act are hereby repealed.

SEC. 9. That this act shall be in force from and after its ratification.

The substitute was rejected.

The question then being on the passage of the bill on its final reading,

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Speaker, Ames, Ashworth, Banner, Barnett, Barnes, Blair, Bowman, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Harris of Wake, Hayes, Hodgin, Hoffman, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moring, Moore of Chowan, Morrill, Morris, Pearson, Peck, Pou, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop and Wilson—63.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Ellington, Ferebee, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Jarvis, Kelly of Davie, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Welch, Whitley and Williams of Harnett—40.

Mr. Seymour moved a reconsideration of the vote just taken.

Mr. Price moved to lay this motion on the table; and

The motion to table prevailed.

On motion of Mr. Downing,

The House adjourned to meet again at ten o'clock, Thursday.

THURSDAY, January 20th, 1869.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Morris, of the House.

Mr. Ames asked for and obtained leave to record his vote in the negative on the bill to secure the better protection of life and property; Mr. Argo in the affirmative; Mr. Eagles and Mr. Hayes in the negative; Mr. Humphries in the affirmative.

A message was received from the Senate, transmitting

A resolution on adjournment; and

A bill to legalize certain official acts of the late County Courts.

The Speaker announced Messrs. Bowman, Malone and Smith, of Martin, to constitute the special committee for the consideration of a bill to secure a lien for physicians and surgeons.

Mr. Hodgin introduced

A resolution in regard to a publication setting forth the resources of the State.

Laid over.

Mr. Painter introduced

A resolution instructing the Judiciary Committee to report a bill to enable medical practitioners to recover debts, &c.

Laid over.

Mr. Reynolds introduced

A bill in favor of H. T. Grant, Sheriff of Northampton county.

Referred to the Finance Committee.

Also,

A bill to amend chapters 113 and 237 of the laws of 1868 and 1869.

Referred to the Judiciary Committee.

Mr. McCanless introduced

A bill to incorporate Colesville Lodge of Free Masons.

Referred to the Committee on Corporations.

Mr. Justus introduced

A bill to amend an act entitled "An act to authorize the laying out and establishing a Turnpike Road from the South Carolina line to the Block House in Rutherford county."

Referred to the Committee on Internal Improvements.

A Senate resolution in relation to the Sheriffs of the State was taken up, it being a special order.

Mr. Harris, of Wake, offered a proviso to the resolution.

Adopted.

Mr. Vestal moved to amend by striking out the words "and hereby required."

Adopted.

The resolution, as amended, then passed its second and final reading.

Mr. Harris, of Franklin, introduced

A resolution in favor of B. P. Williamson.

Laid over.

A bill to authorize the Commissioners of Warren county to levy a special tax was taken up, and

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnett, Blair, Bowman, Carson, Carey, Cawthorn, Cherry, Clayton, Davidson, Dixon, Eagles, Ellington, Forkner, Gahagan, Gilbert, Green, Harris of Wake, Hayes, Hoffman, Humphries, Hudgings, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Morrill, Morris, Proctor, Renfrow, Robbins, Reynolds, Simonds,

Stevens, Sykes, Vestal, Vest, Waldrop, White, Whitley and Wilson—49.

Those who voted in the negative were,

Messrs. Durham, Franklin, Gatling, Hawkins, Hinnant, Pou, Shaver, Siegrist, Smith of Wayne, Stanton, Thompson and Williams of Harnett—12.

A bill to compel the return of certain bonds into the Treasury was taken up.

The question being on the proviso offered by Mr. Welch,

Mr. Bowman offered a substitute for the whole; and

On motion of Mr. Bowman,

The bill, with pending amendment and substitute, was referred to the Finance Committee, ordered to be printed, and made special for Wednesday, the 26th inst., at ten and a half o'clock.

Mr. Proctor introduced

A bill to extend the corporate limits of the town of Lumberton.

Laid over.

Mr. Barnett introduced

A bill to amend chapter 108, section 35, Schedule B, of the public laws, entitled "An act to raise revenue."

Referred to the Finance Committee.

Mr. Robinson introduced

A resolution authorizing the Public Treasurer to pay certain costs due in Macon Superior Court.

Referred to the Committee on Claims.

A bill concerning public roads and bridges was

Referred to the Judiciary Committee.

A bill to more effectually punish horse-stealing was taken up.

Mr. Morris moved to refer the bill to a select committee of five, to be appointed by the Speaker.

The motion prevailed.

On motion of Mr. Barnett,

The House adjourned to meet again at ten o'clock, Friday.

FRIDAY, January 21st, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Long, of the House.

Brief leaves of absence were granted Messrs. Ames, Seymour, Davis, Moore of Alamance, Person and Long of Chatham.

Mr. Moore, of Chowan, presented

A petition from a portion of the citizens of Hyde, Tyrrell and other counties, for the establishment of a new county, to be called "Dare."

Laid over.

Mr. Hodgin, from the Committee on Finance, reported

A resolution to empower Walker Smith, former Sheriff of Rockingham county, to collect arrears of taxes, favorably;

A bill fixing the compensation of the several County Treasurers of the State, asking to be discharged from its further consideration;

A bill in favor of W. A. Philpott, late Sheriff of Granville county, favorably, with amendments;

A resolution providing for a contingent fund, unfavorably;

A bill authorizing the Commissioners of Polk county to levy a special tax, favorably; and

A bill to extend the time for the Sheriff of Hertford county to settle with the County Commissioners, without recommendation.

Mr. Malone introduced

A resolution appointing Thomas Bragg, S. F. Phillips and Rufus Barringer as trustees to hold all the bonds issued to Railroad Companies in which the State has an interest.

Ordered printed.

Mr. Malone introduced

A bill to amend section 1st, chapter 280, of the public laws of 1868 and 1869.

Referred to the Judiciary Committee.

Mr. Sykes introduced

A bill to amend section 30, chapter 113, and section 10, chapter 237, of the public laws of 1868 and 1869.

Referred to the Judiciary Committee.

Mr. Price introduced

A bill to amend an act entitled "Title twenty-one of the Code of Civil Procedure, amended as follows."

Referred to the Judiciary Committee.

On motion of Mr. Hodnett,

The rules were suspended, and

A bill to repeal an act to incorporate the town of Milton, in the county of Caswell, was taken up, and the same

Passed its second and third readings.

On motion of Mr. Malone,

The rules were suspended, and

A Senate bill to regulate the entries of vacant lands was taken up, and the same

Passed its second and third readings.

Mr. Candler introduced

A resolution in favor of J. M. Ferall.

Referred to the Committee on Propositions and Grievances.

A Senate bill defining the duties of the County Commissioners of certain counties in certain cases, was

On motion of Mr. Hodgin,

Referred to the Committee on Education.

Mr. Justice introduced

A bill to authorize the Commissioners of Rutherford county to levy a special tax.

Laid over.

Mr. Moore, from the Committee on Finance, reported

A resolution in favor of J. C. Cline, favorably, with amendments.

On motion of Mr. Moore, of Chowan,

The rules were suspended, and

A Senate resolution requesting an additional report from the Auditor of public accounts was taken up; and

The resolution was adopted.

On motion of Mr. Barnett,

The rules were suspended, and

A Senate bill incorporating the North Carolina Homestead Association was taken up.

Mr. Hodgin moved to amend the bill by striking out, in section first, the word "ninety" and inserting the words "twenty-five."

Adopted.

Mr. Stevens offered the following as an additional section, to be titled "section 5," viz:

"SECTION 5. That the company shall not at any time take over the legal rate of interest, under the penalty of a forfeiture of this charter."

Mr. Vest moved to amend the amendment by properly inserting the words, "not to exceed 12 per cent."

This amendment was rejected.

The question then being on the amendment offered by Mr. Stevens,

Mr. Stevens called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Carson, Carey, Cawthorn, Cherry, Forkner, Foster, Gahagan, Gilbert, Green, Hawkins, Hinnant, Hodnett, Horney, Justus of Henderson, Kelly of Moore, Long of Richmond, McCanless, Mendenhall, Morris, Peck, Siegrist, Simonds, Smith of Martin, Stevens, Sykes, White and Wilson—28.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Barnett, Blair, Bowman, Candler, Dixon, Ellis, Franklin, Gatling, Harris of Franklin, Harris of Wake, Hayes, High, Hoffman, Hudgings, Ingram, Kinney,

Malone, Matheson, McMillan, Moore of Chowan, Pearson, Pou, Price, Proctor, Renfrow, Robbins, Reynolds, Sinclair, Smith of Alleghany, Smith of Wayne, Stanton, Sweat, Vestal, Vest, Whitley and Williams of Harnett—38.

Mr. Moore, of Chowan, offered a proviso to section first, which was adopted.

The bill, as amended, then

Passed its second and third readings.

Mr. Eagles moved a reconsideration of the vote just taken.

Mr. Harris, of Wake, moved to lay this motion on the table; and

The motion to table prevailed.

A message was received from the Governor in relation to endowing the University of the State of North Carolina.

Ordered to be sent to the Senate, with a proposition to print.

A message was received from the Senate transmitting, for consideration of the House,

A bill to lay off and establish a new county by the name of "Dare;"

A bill to incorporate Junaluska Lodge;

A bill to incorporate the Boydton and Ridgeway Turnpike Company;

A bill to incorporate the Francenia Manufacturing Company;

A resolution requesting the Treasurer to report certain information;

A bill to change the time of holding Courts in the Eighth Judicial Circuit; and

A bill to incorporate the Planters' Railroad company.

On motion of Mr. Vestal,

The rules were suspended, and

A Senate bill to change the time of holding courts in the Eighth Judicial circuit was taken up, and the same

Passed its second and third readings.

On motion of Mr. Moore, of Chowan,

The rules were suspended, and

A resolution concerning bills prepared by the Code Commission was taken up, and

Adopted.

Mr. Gatling introduced the following named bills, prepared by the Code Commission:

A bill in relation to official bonds;

A bill concerning the Treasurers of the townships;

A bill to extend the time for transferring actions to the Superior Court;

A bill relating to the supply of acts of the General Assembly to the State Library and to the University;

A bill declaratory of the cases to which an act entitled "An act concerning the settlement of the estate of deceased persons," being chapter 113 of the acts of 1868 and 1869, is applicable;

A bill to amend section 199 of the Code of Civil Procedure;

A bill to amend section 4, chapter 178, of the acts passed at a session beginning on the 16th of November, 1868, and ratified on the 12th of April, 1869, and also section 8, chapter 3, of the same act;

A bill to repeal section 15, chapter 277, of the acts of 1868 and 1869, and section 429 of the Code of Civil Procedure, and to substitute other provisions on the same subject;

A bill to amend section 8, of chapter 237, of an act ratified the 12th of April, 1869, session of 1868 and 1869;

A bill relating to investments made by persons in a fiduciary character;

A bill concerning Coroners;

A bill to regulate the manner of applying for pardons;

A bill to authorize the Judges of the Superior Courts to establish rule days; and

A bill to provide for taking the depositions of witnesses in civil actions and special proceedings in the several courts of this State.

All referred to the Judiciary Committee.

Mr. Ashworth introduced

A bill to allow Probate Judges to prove deeds, trusts, &c.

Referred to the Judiciary Committee.

Mr. Pou introduced

A bill for the relief of James D. Todd, of Johnston county.

Laid over.

On motion of Mr. Pearson,

The rules were suspended, and

A Senate bill to legalize certain official acts of the late County Courts was taken up, and

The same was referred to the Judiciary Committee.

On motion of Mr. Leary,

The House adjourned to meet again at ten o'clock, Saturday.

SATURDAY, JANUARY 22d, 1870.

The House met pursuant to adjournment,

Mr. Bowman in the Chair.

Prayer by Rev. Mr. Morris, of the House.

Mr. Jarvis presented

A petition from R. S. Tucker.

Referred to the Committee on Claims.

Mr. Hodgin presented

A petition from citizens of Guilford county in regard to educational interests.

Referred to the Committee on Education.

Mr. Vest introduced

A resolution instructing the Judiciary Committee.

Laid over.

Mr. Cherry introduced

A bill to incorporate the Benevolent Sons of Edgecombe county.

Laid over.

Mr. Candler introduced

A bill to restore the records of the several courts in the State destroyed by fire or otherwise during the late war.

Referred to the Judiciary Committee.

Mr. Ashworth introduced

A bill to allow Township Magistrates to take the privy examination of married women.

Referred to the Judiciary Committee.

Mr. Vest introduced

A resolution authorizing the clerk to copy bills introduced by the Code Commission.

Adopted under suspension of the rules.

A bill to authorize the Commissioners of Stanly county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Barnes, Boddie, Candler, Carson, Carey, Cawthorn, Clayton, Davidson, Dixon, Durham, Eagles, Ellis, Ellington, Ferebee, Forkner, Gahagan, Gilbert, Green, Grier, Hays, High, Hodgin, Hoffman, Horney, Humphries, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kinney, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Morrill, Morris, Price, Proctor, Proffitt, Ragland, Rea, Robinson, Reynolds, Siegrist, Sinclair, Simonds, Sweat, Vestal, Vest, Waldrop, White, Whitley, Williams of Harnett and Wilson—59.

Those who voted in the negative were,

Messrs. Blair, Hinnant, Hodnett, Pou, Renfrow, Shaver, Smith of Alleghany, Smith of Wayne and Thompson—9.

A bill authorizing the Commissioners of Duplin county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Boddie, Bowman, Candler, Carson, Carey, Cawthorn, Clayton, Davidson, Dixon, Durham, Eagles, Ellis, Ferebee, Forkner,

Foster, Gahagan, Gibson, Green, Grier, Harris of Franklin, Hayes, High, Hodgin, Hoffman, Horney, Humphries, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, McCanless, McMillan, Mendenhall, Morris, Price, Proctor, Ragland, Robbins, Robinson, Reynolds, Siegrist, Simonds, Snipes, Sweat, Thompson, Vestal, Vest, Waldrop, White, Whitley and Wilson—57.

Those who voted in the negative were,

Messrs. Blair, Davis, Hinnant, Shaver, Smith of Alleghany and Smith of Wayne—6.

Mr. Dixon, from the Committee on Claims, reported

A resolution authorizing the Treasurer to pay certain costs due Macon Superior Court, unfavorably;

A resolution to refund money to the county of Stokes, without recommendation, and

A resolution in favor of Maria Egypta de Olivera, favorably.

A bill to authorize the Commissioners of Lenoir county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Candler, Carson, Carey, Cawthorn, Clayton, Davidson, Dixon, Ellis, Ellington, Ferebee, Forkner, Foster, Franklin, Gahagan, Gibson, Gilbert, Green, Grier, High, Hodgin, Hoffman, Horney, Humphries, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Richmond, Matheson, Mayo, McCanless, McMillan, Mendenhall, Morris, Proctor, Proffitt, Ragland, Robbins, Robinson, Reynolds, Siegrist, Simonds, Stanton, Sweat, Thompson, Vestal, Vest, Waldrop, White, Whitley and Wilson—57.

Those who voted in the negative were,

Messrs. Blair, Hawkins, Hayes, Hicks, Hinnant, Smith of Alleghany, Smith of Wayne and Sykes—8.

A Senate bill to incorporate the Southern Copper Mining Company

Passed its second and third readings.

A bill to incorporate a bank in the city of Raleigh

Passed its second and third readings.

A bill to authorize the Commissioners of Cumberland county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Banner, Barnes, Boddie, Bowman, Candler, Carson, Carey, Cawthorn, Cherry, Clayton, Eagles, Ellis, Ellington, Ferebee, Forkner, Franklin, Gahagan, Gibson, Gilbert, Green, Grier, Harris of Wake, Hayes, High, Hoffman, Horney, Humphries, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Mayo, McCanless, Morris, Price, Proctor, Robbins, Reynolds, Siegrist, Sinclair, Simonds, Snipes, Sweat, Vestal, Vest, Waldrop, White and Wilson—52.

Those who voted in the negative were,

Messrs. Blair, Durham, Hawkins, Hicks, Hinnant, Hodgin, Hodnett, Painter, Shaver, Smith of Wayne, Stanton, Thompson and Williams of Harnett—13.

A bill to incorporate the Reliance, Bucket and Axe Company of the city of Newbern was taken up.

The amendments offered by the Committee on Corporations were adopted, and

The bill, as amended,

Passed its second and third readings.

A bill authorizing the Commissioners of Robeson county to issue bonds was taken up.

Mr. Proctor offered a proviso to the same.

The proviso was adopted, and

The bill, as amended, passed its final reading.

Mr. Gatling introduced

A bill authorizing the transfer of county charities to the Boards of Commissioners of counties, and

Under suspension of the rules, the bill

Passed its several readings.

A Senate bill to incorporate the Franconia Manufacturing Company

Passed its second and third readings.

A resolution to empower Walker Smith, former Sheriff for the county of Rockingham, to collect arrears of taxes was taken up.

Mr. Ellington offered

A substitute for the resolution in the shape of a bill.

The substitute was adopted, and the same

Passed its second and third readings.

Mr. Franklin introduced

A bill to incorporate the Mechanics' Building and Loan Association of Raleigh, North Carolina.

Referred to the Committee on Corporations.

A bill to amend an act entitled "An act to authorize the laying out and establishing of a Turnpike Road from the South Carolina line to the Block House, in Rutherford county, &c,"

Passed its second and third readings.

Brief leave of absence was granted to Mr. Stevens.

A Senate bill to amend an act entitled "An act to establish special courts in the cities of Wilmington and Newbern" was taken up, and

The same, as amended, passed its second and third readings.

A bill to incorporate the Benevolent Sons of Edgecombe county,

Passed its second and third readings.

A bill to authorize the Commissioners of McDowell county was taken up, and

The same passed its second reading by the following vote;

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Blair, Boddie, Bowman, Candler, Carson, Cawthorn, Cherry, Davidson, Eagles, Ellington, Ferebee, Forkner, Foster, Gahagan, Gibson, Gilbert, Grier, Harris of Franklin, High, Hodgin, Hoffman, Humphries, Justus of Henderson, Justice of Rutherford, Kelly of

Davie, Kelly of Moore, Kinney, Leary, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Morris, Nicholson, Price, Proctor, Ragland, Rea, Robbins, Robinson, Siegrist, Sinclair, Simonds, Smith of Martin, Stanton, Sweat, Sykes, Vestal, Vest, Welch, White, Whitley and Wilson—58.

Those who voted in the negative were,

Messrs. Durham, Ellis, Hawkins, Hicks, Hinnant, Horney, Jarvis, Painter, Pou, Smith of Alleghany and Waldrop—11.

A resolution in favor of Maria Egypta de Olivera, was

Made special for Monday next, at ten and a half o'clock.

Mr. Pou, from the Committee on the Judiciary, reported

A bill concerning public roads and bridges, unfavorably; and

A bill to amend chapters 113 and 237 of the laws of 1868 and 1869, unfavorably.

Mr. Robinson gave notice that he would introduce a bill to lay off and establish a new county, out of portions of Cherokee, Macon and Jackson counties.

Mr. Price introduced

A bill for the relief of James F. Simpson, of New Hanover county.

Referred to the Committee on Propositions and Grievances.

Also,

A resolution instructing the Judiciary Committee.

Laid over.

Mr. Smith, of Martin, introduced

A bill to incorporate Stonewall Lodge, No. 296, of A. F. and A. Masons, in Martin county.

Laid over.

Mr. Foster introduced

A bill to amend chapter 120 of the private laws of 1868 and 1869.

Laid over.

Mr. Moore, of Chowan, introduced

A resolution instructing the Judiciary Committee.

Referred to the Judiciary Committee.

A bill to incorporate the Trustees of Ebenezer Church, in Mecklenburg County,

Passed its second and third readings.

A bill to incorporate the town of Mount Olive, in Wayne County,

Passed its second and third readings.

A bill to incorporate the Reversion Manufacturing Company

Passed its second and third readings.

A resolution in favor of J. C. Cline, Sheriff of Catawba County, was taken up.

The substitute offered by the Committee on Finance was adopted, it being in the shape of a bill.

Mr. Malone offered a proviso to the same which was adopted, and the bill, as amended, then

Passed its second and third readings.

On motion of Mr. Morris,

The House adjourned to meet again at ten o'clock, Monday.

MONDAY, JANUARY 24th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Atkinson, of the city.

Mr. Leary, from the Committee on Corporations, reported

A bill to incorporate the Planters' Railroad Company, favorably;

A bill to incorporate Foy's Mathematical and Classical High School, favorably, and

A bill to incorporate Colesville Lodge of Free Masons, favorably.

Mr. Williams, of Harnett, introduced

A resolution in favor of the debtors of the Bank of North Carolina.

Adopted under suspension of the rules.

Mr. Candler introduced

A bill to incorporate the North Carolina Sanitarian Company.

Referred to the Committee on Corporations.

Mr. Morris introduced

A bill to repeal section 301 of the Code of Civil Procedure, &c.

Referred to the Judiciary Committee.

Brief leaves of absence were granted Messrs. Candler, Bowman, Thompson, Pou, Blair and Shaver.

Mr. Smith, of Martin, introduced

A bill to change the time for holding elections to elect State and county officers.

Laid over.

A bill to prohibit the sale of spirituous liquors within three miles of what are known as the Davidson Copper Mine and the Silver Valley Mine, in Davidson county,

Passed second and third readings.

A bill to incorporate Stonewall Lodge, A. F. A. M., in Martin county,

Passed second and third readings.

Mr. Downing presented

A petition from a portion of the citizens of Moore and Union counties in relation to the sale of intoxicating liquors.

Referred to the Judiciary Committee.

A bill to authorize the Commissioners of McDowell county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affimative were,

Messrs. Ashworth, Banner, Bowman, Candler, Carson, Carey, Cherry, Clayton, Davidson, Dixon, Downing, Eagles, Ferebee, Forkner, Gahagan, Gibson, Gilbert, Green, Grier, Hayes,

Hodgin, Hodnett, Hoffman, Humphries, Ingram, Kelly of Moore, Long of Richmond, Malone, Mayo, McCanless, Mendenhall, Moore of Alamance, Morris, Nicholson, Proctor, Reynolds, Siegrist, Sinclair, Simonds, Smith of Martin, Sweat, Thompson, Vestal, Vest, Waldrop, White, Whitley and Wilson—48.

Those who voted in the negative were,

Messrs. Durham, Ellis, Farrow, Hawkins, High, Hinnant, Horney, Kelly of Davie, Painter, Shaver, Smith of Alleghany, Smith of Wayne and Williams of Harnett—13.

A bill to authorize the Commissioners of Montgomery to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Barnes, Blair, Bowman, Candler, Carson, Carey, Clayton, Davidson, Dixon, Downing, Eagles, Ellington, Ferebee, Forkner, Foster, Gahagan, Gibson, Gilbert, Green, Grier, Hoffman, Humphries, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Leary, Long of Richmond, Matheson, Mayo, McCanless, McMillan, Mendenhall, Morris, Proctor, Proffitt, Robbins, Reynolds, Sinclair, Simonds, Smith of Martin, Sweat, Vestal, Vest, Waldrop, White, Whitley and Wilson—51.

Those who voted in the negative were,

Messrs. Hawkins, Hinnant, Hodnett, Moore of Alamance, Nicholson, Painter, Shaver, Smith of Alleghany, Smith of Wayne, Thompson and Williams of Harnett—10.

A bill to amend section 2, chapter 74, of the laws of 1868 and 1869, was

Referred to the Finance Committee.

Mr. Moore, of Chowan, introduced

A bill to provide for drawing jurors in certain cases.

Referred to the Judiciary Committee.

A bill to authorize the Commissioners of Burke county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Bowman, Candler, Carson, Clayton, Dixon, Downing, Farrow, Forkner, Franklin, Gahagan, Gibson, Gilbert, Green, Grier, Hayes, High, Hodgin, Hoffman, Humphries, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Morris, Reynolds, Siegrist, Simonds, Snipes, Stanton, Sweat, Vestal, Vest, Waldrop, White, Whitley and Wilson—50.

Those who voted in the negative were,

Messrs. Durham, Ellis, Hawkins, Hodnett, Horney, Malone, Moore of Alamance, Painter, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Thompson and Williams of Harnett—14.

A bill to authorize the Commissioners of Stanly county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Barnes, Boddie, Candler, Carson, Carey, Cawthorn, Cherry, Clayton, Davidson, Dixon, Downing, Eagles, Ellington, Farrow, Ferebee, Forkner, Foster, Franklin, Gahagan, Gibson, Gilbert, Green, Grier, Harris of Wake, Hayes, High, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Matheson, Mayo, McCanless, McMillan, Mendenhall, Morris, Proctor, Robbins, Reynolds, Siegrist, Simonds, Snipes, Sweat, Thompson, Vestal, Vest, Waldrop, White, Whitley, Williams of Harnett and Wilson—56.

Those who voted in the negative were,

Messrs. Blair, Hodnett, Horney, Malone, Painter, Robinson, Shaver, Smith of Alleghany and Smith of Wayne—9.

A bill to amend an act to extend the corporate limits of the town of Lumberton was taken up.

Mr. Sinclair moved to amend the bill by adding the following as a proviso to section first:

"*Provided*, That this extension of said town shall not exclude any citizen's property within the present limits, except the property of Col. Junius Morrissey, and that the property of said Morrissey is hereby excluded."

The amendment was adopted, and the bill, as amended,

Passed its second and third readings.

A bill to authorize the Commissioners of Columbus county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnes, Blair, Boddie, Candler, Carson, Carey, Cherry, Clayton, Durham, Ellington, Ferebee, Forkner, Gahagan, Gatling, Gibson, Gilbert, Green, Hayes, High, Hoffman, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, Long of Richmond, Malone, Matheson, McCanless, McMillan, Mendenhall, Morris, Nicholson, Price, Proctor, Proffitt, Robinson, Sinclair, Simonds, Snipes, Stanton, Sweat, Vestal, Vest, Waldrop and Whitley—51.

Those who voted in the negative were,

Messrs. Hawkins, Hinnant, Jarvis, Painter, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Thompson and Williams of Harnett—10.

A bill to lay out and construct a road through the counties of Alleghany and Ashe

Passed its second and third readings.

Mr. Moore, of Chowan, introduced

A bill to incorporate the Edenton and Norfolk Railroad Company.

Referred to the Committee on Corporations.

Mr. Forkner introduced

A resolution for the relief of N. R. Jones, Sheriff of Warren county, and

The same was taken up under a suspension of the rules.

Mr. Justice moved to lay the resolution on the table, and

The motion to table prevailed.

A bill to amend an act entitled "An act relative to the Western Turnpike Road leading from Asheville westward to Murphy, and thence by separate routes to the Georgia and Tennessee lines

Passed second and third readings.

Mr. Morris introduced

A bill to compel all Sheriffs to pay over moneys to County Treasurers.

Referred to the Finance Committee.

Mr. Whitley introduced

A resolution instructing the Committee on Salaries and Fees.

Laid over.

A bill in favor of the Sheriff of Caswell

Failed to pass its second reading.

A Senate bill to incorporate the town of Wilkesborough

Passed second and third readings.

A bill to authorize the Commissioners of Craven county to issue bonds

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Blair, Candler, Carson, Carey, Cherry, Dixon, Eagles, Ellis, Ellington, Forkner, Foster, Gahagan, Green, Hayes, Hinnant, Hoffman, Hudgings, Ingram, Kelly of Moore, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Morris, Price, Proctor, Stanton, Sweat, Vest and White—33.

Those who voted in the negative were,

Messrs, Boddie, Clayton, Davidson, Durham, Gibson, Grier, Hawkins, High, Hodnett, Humphries, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Matheson, Moore of Alamance, Nicholson, Painter, Proffitt, Shaver, Siegrist, Smith of Martin, Smith of Wayne, Sykes, Thompson, Vestal, Waldrop, Whitley, Williams of Harnett and Wilson —29.

A bill to authorize the Commissioners of Craven county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Davidson, Dixon, Downing, Eagles, Ellington, Forkner, Foster, Gahagan, Green, Grier, Hayes, Hinnant, Hoffman, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Long of Richmond, Mayo, McCanless, Moore of Alamance, Morris, Pearson, Peck, Price, Proctor, Robbins, Reynolds, Siegrist, Simonds, Smith of Martin, Stanton, Stevens, Sweat, Vest, Waldrop, White, Whitley and Wilson—49.

Those who voted in the negative were,

Messrs. Blair, Gibson, Hawkins, High, Hodnett, Kelly of Davie, Malone, Matheson, Nicholson, Painter, Shaver, Smith of Alleghany, Smith of Wayne, Thompson and Vestal—15.

A bill to provide for the payment of arrears of salary of Robt. B. Gilliam, as one of the Judges of the Superior Court, was taken up.

Mr. Proctor moved a reference to the Finance Committee.

Mr. Foster moved to lay the bill on the table.

On this motion,

Mr. Leary called for the yeas and nays.

The call being sustained,

The motion to table prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnes, Blair, Candler, Carson, Carey, Cherry, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Gilbert, Hayes, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Matheson, McCanless, Mendenhall, Morris, Price, Proctor, Rea, Renfrow, Robbins, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Snipes, Sweat, Vestal, Vest, Waldrop, White and Wilson—46.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Boddie, Clayton, Davidson, Durham, Ellis, Ellington, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, Humphries, Ingram, Jarvis, Kelly of Davie, Leary, Malone, Mayo, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Robinson, Reynolds, Shaver, Sinclair, Smith of Wayne, Stanton, Thompson, Whitley and Williams of Harnett—34.

Mr. Downing moved to reconsider the vote just taken.

Mr. Hayes moved to lay this motion on the table, and

The motion to table prevailed.

On motion of Mr. Hayes,

The House adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, January 25th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Mr. Mayo asked for and obtained leave to reverse his vote on the disposition of the resolution in favor of Ex-Judge R. B. Gilliam.

Mr. Mendenhall, from the Committee on Education, reported

A Senate bill defining the duties of County Commissioners of certain counties in certain cases, unfavorably.

Mr. Snipes introduced

A bill to amend section 19 of an act concerning guardian and ward.

Referred to the Judiciary Committee.

Mr. Malone introduced

A bill making the wilful abandonment for more than two years a cause for divorce from matrimony.

Referred to the Judiciary Committee.

Mr. Carson introduced

A bill to levy a special tax for the county of Ashe.

Laid over.

Mr. Clayton introduced

A bill to create a Turnpike road in Transylvania county.

Referred to the Committee on Propositions and Grievances.

Mr. Durham introduced

A bill to authorize the Sheriff of Cleveland county to collect arrears of taxes.

Laid over.

Mr. Justice introduced

A resolution concerning State printing.

Laid over.

A Senate bill to amend an act concerning the powers and duties of State officers was

Made special for Thursday next at eleven o'clock.

Brief leaves of absence were granted Messrs. Moring, Dixon, Price, Morris and Whitley.

A Senate bill to incorporate the Trustees of Franklin Academy

Passed its second reading.

A message was received from the Senate transmitting

A report from the Board of Public Charities of the State.

The report was read and ordered printed.

A message was received from the Senate transmitting, for concurrence,

Amendments to a bill to authorize the Commissioners of Craven county to levy a special tax for the purpose of building a bridge across the Neuse and Trent rivers.

Laid over.

A message was received from the Senate transmitting, for consideration of the House,

A bill to amend an act to incorporate the Wilmington Life Insurance company;

A bill to authorize the Commissioners of Bertie county to levy a special tax;

A bill to cede to the United States jurisdiction of certain land;

A bill for the relief of the several Sheriffs of the State; and

A bill for the relief of the sureties of the late Sheriff of Jones county.

The bills were appropriately referred.

A message was received from the Senate, with information that the Senate concurred in the House amendments to the bill to secure the better protection of life and property.

Mr. Sinclair introduced

A resolution concerning the House Committee of the Whole on certain investigations.

Laid over.

A Senate bill in relation to costs in criminal actions

Failed to pass its second reading.

A Senate bill to make land owners in certain cases consolidate the surveys of different tracts

Passed its second reading.

A Senate bill to enlarge the powers of County Commissioners

Passed its second and third readings.

A bill to amend an act to regulate proceedings in the partition and sale of real and personal property

Failed to pass its second reading.

A Senate bill to repeal an act amendatory of the act to incorporate the Western North Carolina Railroad Company was referred to the Committee on Internal Improvements.

Mr. Painter introduced

A bill to amend an act to provide for a system of public instruction.

Referred to the Committee on Education.

A Senate bill concerning the probate and registration of deeds and other instruments

Passed its second and third readings.

A Senate bill to amend sections 98 and 100, chapter 270, of the laws of 1868 and 1869, was

Referred to the Finance Committee.

A Senate bill to repeal the 9th section of an act suspending the Code of Civil Procedure in certain cases

Passed its second and third readings.

A resolution in favor of "Henderson & Ennis" was re-referred to the Committee on Claims.

A bill to license common school examiners to teach common schools

Failed to pass its second reading.

Mr. Moore, from the Committee on the Judiciary, reported

A bill to authorize the present Sheriffs to make title to land sold by former Sheriffs, unfavorably;

A bill to amend chapter 279 of the public laws of 1868 and 1869, favorably;

A bill to amend section 1, chapter 280, of the public laws of 1868 and 1869, favorably; and

A bill to allow the Sheriffs to disregard the homestead and personal property exemption on executions founded on a judgment for crime, favorably.

Mr. Moore, of Chowan, introduced

A bill in regard to probate of deeds by *feme coverts* during the late war.

Referred to the Judiciary Committee.

Also,

A bill to amend the charter of the town of Edenton.

Referred to the Committee on Corporations.

On motion of Mr. Moore, of Chowan,

The rules were suspended, and

A Senate bill to lay off and establish a new county by the name of Dare was taken up.

Mr. Jarvis offered the following as an additional section to the bill, to be titled "Section 16," viz:

"Sec. 16. That the County Commissioners of Tyrrell shall, on the first Thursday of May, 1870, submit to the qualified voters of East Lake and Croatan Townships the proposition to ratify or reject the 'Act to lay off and establish the county of

Dare.' The said voters shall vote 'ratified' or 'rejected,' and the inspectors of said election shall make their return to said County Commissioners of Tyrrell, who shall declare the result. If a majority of the votes cast shall be in favor of ratification, then the boundaries of said county of Dare shall be as prescribed in the bill. If a majority of the voters vote 'rejected,' then the western boundaries of said county of Dare shall be the Pamlico, Croatan and Albemarle sounds."

Mr. Moore, of Chowan, called the previous question.

Mr. Humphries gave notice that he would offer the following as a proviso to section 15 of the bill:

"*Provided*, That that portion of the citizens taken from the county of Currituck and attached to the county of Dare, shall not be released from their proportion of the outstanding county debt contracted for public improvements before the passage of this act, to be determined by the County Commissioners of Currituck and Dare counties."

The question being "Shall the main question be now put?"

The vote was decided in the affirmative.

The question then recurring on the amendment offered by Mr. Jarvis,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Boddie, Clayton, Durham, Ellis, Farrow, Ferebee, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, High, Hinnant, Humphries, Jarvis, Kelly of Davie, Leary, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Proffitt, Ragland, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Sweat, Whitley and Williams of Harnett—35.

Those who voted in the negative were,

Messrs. Ashworth, Banner, Barnes, Blair, Carson, Carey,

Crawford, Downing, Eagles, Ellington, Forkner, Foster, Franklin, Gahagan, Gilbert, Harris of Wake, Hayes, Hendricks, Hodgin, Horney, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Peck, Proctor, Rea, Renfrow, Robbins, Reynolds, Siegrist, Sinclair, Simonds, Smith of Martin, Sykes, Vest, Waldrop, White and Wilson—43.

The question then being on the amendment offered by Mr. Humphries,

Mr. Humphries called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Boddie, Carson, Carey, Clayton, Downing, Durham, Ellis, Ellington, Farrow, Ferebee, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hayes, Hendricks, High, Hinnant, Hodnett, Humphries, Jarvis, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, Long of Richmond, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Proffitt, Ragland, Robinson, Reynolds, Shaver, Siegrist, Smith of Wayne, Stanton, Sweat, Vestal, White, Whitley and Williams of Harnett—51.

Those who voted in the negative were,

Messrs. Barnes, Blair, Dixon, Eagles, Forkner, Foster, Franklin, Gahagan, Gilbert, Hoffman, Hudgings, Ingram, Mayo, McCanless, Moore of Chowan, Morrill, Peck, Proctor, Rea, Renfrow, Robbins, Simonds, Smith of Martin, Sykes, Vest, Waldrop and Wilson—27.

The bill, as amended, then passed its second reading, and

On motion of Mr. Moore, of Chowan, was

Made special for Wednesday next at eleven o'clock.

Mr. Leary introduced

A bill to incorporate the Peoples' Manufacturing, Loan and Trust Company, of the county of Cumberland.

Referred to the Committee on Corporations.

Mr. Foster introduced

A bill to repeal chapter 86 of the public laws of 1868 and 1869.

Laid over.

Mr. Harris, of Wake, introduced

A bill concerning State prisoners.

Referred to the Judiciary Committee.

A bill to amend an act concerning Inspectors for the city of Wilmington was

Referred to the Committee on Propositions and Grievances.

Mr. Price introduced

A bill concerning punishments.

Referred to the Committee on Penal Institutions.

Also a bill to prohibit the sale of spirituous liquors within one mile of Freedom Hill, in Chatham county.

Laid over.

A bill to amend the revenue law in relation to foreign insurance companies was

Referred to the Finance Committee.

On motion of Mr. Robinson,

The rules were suspended, and

A resolution in regard to an act to provide for a system of Public Instruction was taken up.

Mr. Moore, of Chowan, moved to amend the resolution by striking out all after the word "to" in the tenth line, and inserting the words "prevent the repetition of such a fraud upon the Legislature, and to bring the guilty party, if any, before the bar of this House, to receive its judgment."

The amendment was adopted.

Mr. Robinson offered another section to the resolution.

The amendment, as an additional section, was

Adopted.

The resolution, as amended, was then adopted.

The aforesaid resolution authorizing the Speaker to appoint a committee of three members on the part of the House, to co-operate with two on the part of the Senate,

The Speaker appointed Messrs. Robinson, Moore of Chowan and Leary.

Mr. Justice introduced

A bill to create a new county by the name of Trenton.

Referred to the Committee on Counties and Townships.

A Senate bill to amend section 18 of an act relating to special proceedings in cases of mills

Passed its second reading.

On motion of Mr. Leary,

The House adjourned to meet again at ten o'clock, Wednesday.

WEDNESDAY, JANUARY 26th, 1870.

The House met pursuant to adjournment,

Mr. Malone in the Chair.

Prayer by Rev. Mr. Shaver, of the House.

Mr. Whitley, from the Committee on Corporations, reported

A bill to incorporate the People's Manufacturing, Loan and Trust Company, favorably;

A bill to empower the Mayor and Aldermen of the city of Wilmington to remove obstructions from side-walks, &c., without recommendation; and

A bill to amend the charter of the city of Wilmington, without recommendation.

Mr. Justice introduced

A bill to amend chapter 184 of the public laws of 1868 and 1869.

Referred to the Committee on Education.

Mr. Vest introduced

A bill to compel officers to place convicts in State prison.

Referred to the Committee on Penal Institutions.

A Senate bill to incorporate the Trustees of Franklin Academy

Passed its third reading.

On motion of Mr. Justice,

The rules were suspended, and

A resolution concerning State printing was taken up.

Mr. Harris, of Wake, offered

A substitute for the resolution.

The substitute was rejected.

The question being on the adoption of the original resolution,

Mr. Proctor called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnes, Boddie, Carson, Clayton, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Gilbert, Green, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Vestal, Waldrop, Welch, Whitley and Williams of Harnett—51.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Barnett, Blair, Cherry, Dixon, Downing, Eagles, Forkner, Foster, French, Gahagan, Gunter, Hayes, Hendricks, Hodgin, Hoffman, Horney, Kelly of Moore, Mayo, Moore of Chowan, Morrill, Pearson, Proctor, Ragland, Rea, Sinclair, Simonds, Sweat, Vest, White, Williamson and Wilson—33.

A message was received from the Governor, transmitting

A communication from Gen. W. T. Sherman, Secretary of War, in relation to the purchase of certain land by the National Government for National Cemeteries.

Referred to the Committee on the Judiciary, with instructions to report a bill.

A message was received from the Senate, with information that that body refused to concur in the House amendments to the bill to amend the acts relative to special courts in the cities of Wilmington and Newbern.

Mr. French introduced

A bill granting the consent of the State of North Carolina to the purchase of certain lands by the United States.

Laid over.

Mr. White introduced

A bill authorizing the Commissioners of Perquimans county to issue bonds.

Referred to the Committee on Counties and Townships.

Mr. Smith, of Martin, introduced

A bill to prevent the destruction of fish in the waters of North Carolina.

Laid over.

Mr. Leary, from the Committee on Corporations, reported

A bill to incorporate the Farmers and Mechanics' Life Assurance Association, favorably.

The hour for the special order having arrived, it being

A Senate bill for the establishment of a new county, to be called "Dare,"

The same was taken up.

Mr. Jarvis raised the point of order that this bill, being in substance the same as one indefinitely postponed by the House during this session, could not be considered by the House.

Pending which

On motion of Mr. Downing,

The House adjourned to meet again at ten o'clock, Thursday.

THURSDAY, January 27th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Long, of the House.

Mr. French presented

A petition in relation to the drainage of certain lands.

Referred to the Committee on Propositions and Grievances.

Mr. Moore, from the Committee on the Judiciary, reported

A bill to allow witnesses attending Justices' Courts a compensation, favorably;

A resolution in favor of the debtors of the Bank of North Carolina, asking to be discharged;

A bill to allow Justices of the Peace to take depositions without a commission, favorably;

A bill to legalize certain elections, unfavorably;

A bill to authorize the clerks of the Superior Courts to make title to real estate in certain cases, unfavorably;

A bill in relation to the statute of limitation, unfavorably;

A bill to amend chapter 101, section 37, of the Revised Code, unfavorably; and

A petition from a portion of the citizens of Moore and Union counties in relation to the sale of intoxicating liquors, asking to be discharged.

Mr. Moore, of Chowan, introduced

A bill to incorporate a society for the relief of preachers, &c.

Laid over.

Mr. Banner introduced

A bill in relation to taking or shooting mountain trout in the waters of the counties west of the Blue Ridge.

Laid over.

Mr. French introduced

A resolution to hold night sessions.

Laid over.

Also,

A resolution to expedite business.

Laid over.

Also,

A resolution in relation to the tariff on rice and peanuts.

Laid over.

Mr. Dixon, from the Committee on Claims, reported

A resolution in favor of R. S. Tucker, favorably;

A Senate resolution in favor of M. A. Bledsoe, favorably; and

A resolution authorizing the Treasurer to pay certain costs due in Macon Superior Court, without recommendation.

Mr. Malone introduced

A bill to allow execution debtors to redeem land sold under execution.

Referred to the Judiciary Committee and ordered printed.

Mr. French introduced

A bill to incorporate the Excelsior Planting Company.

Referred to the Committee on Corporations.

Also,

A bill in behalf of the Mediteranean and Oriental Steam Navigation Company, and for the encouragement of foreign emigration.

Referred to the Committee on Immigration.

Mr. Moore, of Chowan, introduced

A resolution to limit the introduction of bills.

Laid over.

Also,

A resolution to lengthen the term of daily sessions.

Laid over.

Mr. Justice introduced

A bill to repeal chapter 219 of the laws of 1868 and 1869.

Laid over.

Mr. Gunter introduced

A bill providing for fees of witnesses in Justices' Court.

Referred to the Judiciary Committee.

Mr. Morris introduced

A bill to regulate tax in certain cases.

Referred to the Finance Committee.

The Speaker appointed Messrs. Justice, Vest, Malone, Horney and Cherry to constitute the special committee authorized for the consideration of a bill to more effectually punish horse thieves.

A bill to allow witnesses attending Justices' Courts a compensation was taken up.

Mr. Vest moved to amend the first section of the bill by inserting after the word "compensation" the words "except mileage."

The amendment was adopted, and the bill, as amended,

Passed its second reading.

Brief leave of absence was granted to Mr. McCanless.

A bill to amend chapter 279 of the public laws of 1868 and 1869

Passed its second and third readings.

The hour for the special order having arrived, it being

A bill to lay off and establish a new county by the name of Dare,

The same was taken up.

The question being on the passage of the bill on its final reading,

Mr. Jarvis renewed his point of order of the previous day.

The Speaker overruled the point of order raised.

Mr. Jarvis offered the following as a proviso to section 4 of the bill:

"*Provided*, That before the Governor makes such appointment he shall, at such time as he may deem proper, and in such way as he may deem best, submit to the qualified voters of that portion of the county of Tyrrell to be embraced in the county of Dare, whether they will remain in the county of Tyrrell or be transferred to the county of Dare. If a majority of the voters be cast for Dare, then he shall at once organize

the county as provided in this act. If a majority vote in favor of Tyrrell, then the Governor in organizing said county of Dare, shall leave out the people of Tyrrell."

Mr. Moore, of Chowan, called the previous question.

The question being "Shall the main question be now put?"

The vote was decided in the affirmative.

The question being on the amendment offered by Mr. Jarvis,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnes, Boddie, Clayton, Davidson, Durham, Ellington, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Gunter, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Jarvis, Kelly of Davie, Long of Chatham, Long of Richmond, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Proffitt, Ragland, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Sweat, Vestal, Welch, Whitley, Williams of Sampson and Wilson—45.

Those who voted in the negative were,

Messrs. Ashworth, Blair, Carson, Carey, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Harris of Wake, Hayes, Hudgings, Justus of Henderson, Kelly of Moore, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Proctor, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Snipes, Stanton, Sykes, Vest, Waldrop and White—35.

The bill then passed its final reading.

Mr. Moore, of Chowan, moved a re-consideration of the vote just taken.

The motion to reconsider prevailed.

Mr. Moore then moved to amend the proviso to section 4, by striking out the words "of that portion of the county of Tyrrell to be;" also the words, "will remain in the county of Tyrrell or be transferred to the county of Dare," and insert

after the word "they" the words "with the said county of Dare to be established;" also to strike out all after the word "act."

The question being on the amendments as a whole,

Mr. Moore called for the yeas and nays.

The call being sustained,

The amendments were adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnett, Blair, Carson, Carey, Dixon, Downing, Eagles, Ellington, Forkner, Foster, Franklin, Gahagan, Harris of Wake, Hayes, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Proctor, Rea, Renfrow, Robbins, Robinson, Reynolds, Seymour, Sinclair, Smith of Martin, Snipes, Stanton, Sweat, Sykes, Vestal, Vest, Waldrop, White, Williamson and Wilson—51.

Those who voted in the negative were,

Messrs. Armstrong, Clayton, Durham, Farrow, Gatling, Gibson, Green, Grier, Hawkins, High, Hinnant, Jarvis, Kelly of Davie, Malone, Matheson, McMillan, Nicholson, Painter, Ragland, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Welch, Whitley and Williams of Sampson—26.

The bill, as amended, then passed its final reading.

Mr. Leary, from the Committee on Corporations, reported

A bill to incorporate the Edenton and Norfolk Railroad Company, favorably; and

A bill to amend an act to incorporate the Cape Fear Agricultural Association, favorably.

Mr. Hicks gave notice that he would introduce a bill to charter the Tomotla Iron Company.

Mr. Harris, of Wake, moved a reconsideration of the vote by which the House, on the 26th instant, adopted "A resolution concerning public printing."

Mr. Justice moved to lay the motion to reconsider on the table.

On this motion,

Mr. Justice called for the yeas and nays.

The call being sustained,

The motion to table prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Barnes, Boddie, Candler, Carson, Clayton, Davidson, Durham, Ellis, Farrow, Ferebee, Foster, Gatling, Gibson, Gilbert, Green, Grier, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Long of Chatham, Long of Richmond, Malone, Matheson, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Waldrop, Welch, Whitley, Williams of Harnett and Williams of Sampson—50.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Barnett, Blair, Carey, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Franklin, Gahagan, Gunter, Harris of Wake, Hayes, Hodgin, Hoffman, Horney, Hudgings, Kelly of Moore, Leary, Mayo, Moore of Chowan, Morrill, Morris, Pearson, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Snipes, Stanton, Sweat, Sykes, Vestal, Vest, White, Williamson and Wilson—45.

A message was received from the Senate, concurring in the proposition to raise a committee of conference on the bill concerning the holding of special courts for the cities of Wilmington and Newbern.

Mr. Jarvis introduced

A bill to repeal certain sections of the public laws of 1868 and 1869.

Referred to the Committee on Internal Improvements, with instructions to report at or before Monday next, at twelve o'clock, and

Ordered printed.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A resolution in favor of J. M. Israel, unfavorably;

A bill to create a Turnpike Road in Transylvania county, favorably;

A resolution for the relief of John Crisp, of Macon county, favorably;

A bill declaring a portion of Tar river a lawful fence, favorably;

A bill to prevent the destruction of certain species of game in Granville county, without recommendation; and

A resolution regarding the Marion and Asheville Turnpike, favorably.

A bill to amend chapter 280 of the public laws of 1868 and 1869

Passed its second and third readings.

Mr. Downing introduced

A resolution to investigate certain alleged frauds in the public printing, appointing a special committee of three, &c.

Mr. Harris, of Wake, offered a substitute for the same, and

The substitute was adopted.

A bill to incorporate the People's Manufacturing, Loan and Trust Company, of Cumberland county,

Passed its second and third readings.

On motion of Mr. Gilbert,

The House adjourned to meet again at ten o'clock, Friday.

FRIDAY, January 28th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Mr. Ames, from the Committee on Internal Improvements, reported

A bill to amend chapter 65 of the public laws of 1868 and 1869, favorably.

Mr. Cherry introduced

A bill to incorporate the Edgecombe Masonic Building Association.

Laid over.

Mr. Carey introduced

A bill to amend sections 11 and 12, of chapter 108, of the public laws of 1868 and 1869.

Referred to the Finance Committee.

Mr. Long, of Richmond, introduced

A bill for the better regulation of the Fair held near Laurel Hill, Richmond county, N. C., and known as the Scotch Fair.

Referred to the Committee on Corporations.

Mr. Nicholson introduced

A bill to equalize the expense of keeping up bridges in the several counties.

Referred to the Committee on Propositions and Grievances.

Mr. Sykes introduced

A bill to extend the corporate limits of Elizabeth City.

Referred to the Committee on Corporations.

Mr. Sinclair introduced

A bill to prohibit the sale of intoxicating liquors within three miles of Ashpole Presbyterian Church, in Robeson county.

Laid over.

On motion of Mr. French,

The rules were suspended, and

A resolution providing for the holding of night sessions was taken up.

Mr. Proctor moved to lay the resolution on the table.

On this motion,

Mr. French called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Barnes, Crawford, Eagles, Gilbert, Green, Gunter, Hayes, Hudgings, Jarvis, Kelly of Moore, Malone, Morrill, Painter, Proctor, Sinclair, Simonds, Sweat, Vest, Williamson and Wilson—20.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Blair, Boddie, Carson, Cherry, Clayton, Durham, Ellis, Farrow, Ferebee, Forkner, French, Gahagan, Gatling, Gibson, Grier, Hawkins, Hendricks, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Ingram, Justice of Rutherford, Kinney, Long of Chatham, Long of Richmond, Mayo, Mendenhall, Pearson, Robbins, Reynolds, Seymour, Shaver, Smith of Martin, Smith of Wayne, Snipes, Stanton, Vestal, White, Williams of Harnett and Wilson—47.

Mr. Seymour moved to amend by inserting the words "on Tuesdays, Wednesdays and Fridays."

Adopted.

Mr. Eagles moved to indefinitely postpone the resolution.

On this motion,

Mr. Blair called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Barnes, Candler, Carey, Crawford, Eagles, Farrow, Gilbert, Green, Gunter, Hayes, Hudgings, Jarvis, Kelly of Moore, Malone, Proctor, Ragland, Sinclair, Smith of Martin, Sweat, Vest, Williamson and Wilson—22.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Blair, Boddie, Carson, Clayton, Durham, Ellis, Ferebee, Forkner, Foster, French, Gahagan, Gatling, Gibson, Grier, Harris of Franklin, Hawkins, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Ingram, Kelly of Davie, Kinney, Long of Chatham, Long of Richmond, Mayo, Mendenhall, Moore of Alamance,

Morrill, Nicholson, Pearson, Rea, Robbins, Robinson, Reynolds, Seymour, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Vestal, White, Whitley, Williams of Harnett and Williams of Sampson—53.

Mr. Vest offered to amend by adding the words "provided the members will attend."

The amendment was rejected.

Mr. Williams, of Harnett, offered a substitute for the whole, providing for afternoon sessions.

The substitute was rejected.

On motion of Mr. Ames,

The resolution was then laid on the table.

Mr. Moore, of Chowan, moved a suspension of the rules, for the purpose of taking up a resolution, introduced by himself, to lengthen the sessions of the House.

The motion was rejected.

A message was received from the Senate transmitting, for consideration of the House,

A bill to restore the credit of the State, and to facilitate our unfinished railroads.

Referred to the Committee on Internal Improvements, ordered printed, and

Made special for Monday next, at eleven o'clock.

Mr. Foster introduced

A bill to refund special taxes to the tax payers of the State.

Mr. Seymour introduced

A bill to consolidate the Atlantic and the North Carolina Railroads.

Referred to the Committee on Internal Improvements.

A bill to incorporate a society for the relief of preachers, &c.,

Passed its second reading, and was

Referred to the Committee on Propositions and Grievances.

Mr. Whitley, from the Committee on Corporations, reported

A Senate bill to amend an act to incorporate the Wilmington Life Insurance Company, favorably, with an amendment; and

A bill to extend the corporate limits of Elizabeth City, favorably.

Mr. French, from the Committee on Counties and Townships, reported

A bill to amend an act concerning the government of counties, with a majority and minority report;

A bill authorizing the Commissioners of Robeson county to issue bonds, without recommendation;

A bill to extend the time for perfecting entries in the county of Jackson, favorably;

A bill to regulate the meetings of County Commissioners, and for other purposes, unfavorably;

A bill concerning townships, favorably;

A bill authorizing the Commissioners of Perquimans county to issue bonds, unfavorably;

A Senate bill authorizing the Commissioners of Perquimans county to issue bonds, favorably; and

A Senate bill requiring Clerks and Treasurers of townships to give bonds, favorably.

Mr. Hicks introduced

A bill to incorporate Clay Lodge, No. 301, of Free and Accepted Masons.

Referred to the Committee on Corporations.

A Senate bill in relation to special proceedings in cases of mills

Passed its final reading.

A Senate bill to make land owners in certain cases consolidate the surveys of different tracts

Passed its final reading.

A bill to allow married women to become free traders

Failed to pass its second reading.

A Senate bill in relation to property belonging to the Board of Education was taken up.

Mr. Jarvis moved to indefinitely postpone the bill.

On this motion,

Mr. Gunter called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote :

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Barnett, Barnes, Boddie, Candler, Clayton, Davis, Davidson, Durham, Farrow, Ferebee, Forkner, Gatling, Gibson, Gilbert, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hayes, Hicks, High, Hinnant, Hodnett, Hoffman, Humphries, Hudgings, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McMillan, Mendenhall, Moore of Alamance, Morrill, Nicholson, Painter, Proctor, Proffitt, Renfrow, Robinson, Seymour, Shaver, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Sweat, Sykes, Vestal, Waldrop, Welch, Whitley, Williams of Harnett, Williams of Sampson, Williamson and Wilson—67.

Those who voted in the negative were,

Messrs. Argo, Blair, Carson, Downing, Ellington, French, Gahagan, Hodgin, Horney, Kelly of Moore and Vest—11.

A bill to incorporate the Mechanics' Building and Loan Association of Raleigh, N. C.,

Passed its second and third readings.

Mr. Barnett introduced

A bill to repeal section 11, chapter 137, of the public laws of 1868 and 1869, and for other purposes.

Laid over.

Mr. Cherry introduced

A bill to incorporate the Tarboro' Gas Light Company.

Referred to the Committee on Corporations.

A message was received from the Senate, transmitting a report from the committee of conference on the House amendments to the Senate bill in relation to the special courts in the cities of Wilmington and Newbern.

The House concurred in the adoption of the report.

A bill to provide for taking of bonds in cases of bastardy

Passed its second and third readings.

Mr. Seymour introduced

A bill to amend an act to incorporate the Shepherd's Point Land Company.

Referred to the Judiciary Committee.

A bill to repeal certain sections of chapter 12 of the Revised Code was

Laid on the table.

A bill declaring a portion of Tar river a lawful fence

Passed its second and third readings.

Mr. Reynolds introduced

A bill to incorporate the Roanoke Missionary Baptist Association.

Referred to the Committee on Corporations.

A resolution in relation to the tariff on rice and pea-nuts was

Adopted.

A resolution to make uniform the introduction of bills and resolutions was

Laid on the table.

Mr. Robinson introduced

A bill to lay off and establish a new county by the name of Swain.

Referred to the Committee on Counties and Townships.

Mr. Seymour, from the Judiciary Committee, reported

A bill to amend section 8, chapter 237, of an act ratified April the 12th, 1869, favorably; and

A bill declaratory of the cases to which an act entitled "An act concerning the settlement of the estates of deceased persons," being chapter 113 of the acts of 1868 and 1869, is applicable, favorably.

On motion of Mr. Moore, of Chowan,

The rules were suspended, and the aforesaid bills

Passed their second readings.

On motion of Mr. Seymour,

The House adjourned to meet again at ten o'clock, Saturday.

SATURDAY, January 29th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A bill incorporating a society for the relief of preachers, &c., favorably; and

A Senate bill for the relief of the sureties of the late Sheriff of Jones county, asking to be discharged from its further consideration.

Mr. Seymour, from the Committee on the Judiciary, reported

A bill to allow township magistrates to take privy examination of married women, favorably;

A bill to create a mechanics and laborers' lien law, unfavorably;

A bill to amend an act to create a mechanics and laborers' lien law, unfavorably; and

A bill to amend section 4, chapter 117, of the laws of 1868 and 1869, favorably, with amendments.

Mr. Ames, from the Committee on Internal Improvements, reported

A bill to consolidate the Atlantic and North Carolina and the North Carolina Railroad Companies, favorably.

Ordered printed and made special for Tuesday next at 11 o'clock.

Mr. Mendenhall, from the Committee on Education, reported

A bill to amend chapter 184 of the laws of 1868 and 1869 in relation to examiners, with a substitute.

Mr. Moore, of Chowan, introduced

A bill providing for the amercements of Sheriffs and Constables in Justices' Courts;

A bill in relation to Clerks of the Superior Courts, Justices of the Peace, &c.;

A bill providing for costs in civil actions in Justices' Courts;

A bill to amend section 254, title 10, chapter 6, of the Code of Civil Procedure; and

A bill to amend sections 149, 266 and 274 of the Code of Civil Procedure.

All referred to the Judiciary Committee.

Mr. Malone introduced

A resolution requiring the Chairman of the Committee of the Whole to notify Swepson and Littlefield to appear before the committee as witnessess.

Laid over.

Mr. Vest introduced

A bill to amend the corporation act of the town of Winston.

Laid over.

Mr. French introduced

A bill to incorporate the Wilmington Building Association.

Referred to the Committee on Corporations

A bill to incorporate the Newton Female Academy.

Passed its second and third readings.

On motion of Mr. Malone,

The rules were suspended, and

A resolution requiring the Chairman of the Committee of the Whole of the House to notify Swepson and Littlefield to appear as witnesses, was taken up.

Mr. Moore, of Chowan, moved to postpone further consideration of the resolution until a bill, introduced by Mr. Jarvis, viz: to repeal certain sections of certain chapters of the general laws of 1868 and 1869, should have been disposed of.

Mr. French moved to amend the motion by making the resolution special for Monday next at ten o'clock.

Mr. French called the previous question.

The question being "Shall the main question be now put?"

The vote was decided in the affirmative.

The question then being on the motion of Mr. French,

Mr. Malone called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, French, Gahagan, Jarvis, Justus of Henderson, Morrill and Robbins—7.

Those who voted in the negative were,

Messrs. Armstrong, Banner, Barnett, Barnes, Boddie, Candler, Carson, Carey, Cherry, Clayton, Crawford, Davis, Davidson, Durham, Eagles, Ellis, Ellington, Farrow, Ferebee, Forkner, Gibson, Gilbert, Green, Grier, Harris of Franklin, Hawkins, Hayes, Hendricks, Hicks, Hilliard, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Ingram, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Proffitt, Ragland, Rea, Renfrow, Robinson, Reynolds, Seymour, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sweat, Sykes, Vestal, Vest, Waldrop, Welch, White, Williams of Sampson and Wilson—75.

The question then recurring on the motion of Mr. Moore,

Mr. Malone called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Mr. Sinclair voted in the affirmative.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Banner, Barnett, Barnes, Boddie, Candler, Carson, Carey, Clayton, Davis, Davidson, Durham, Eagles, Ellis, Ellington, Farrow, Ferebee, Forkner, French, Gahagan, Gibson, Gilbert, Green, Grier, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hayes, Hendricks, Hicks, Hilliard, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McMillan, Moore of Alamance, Moore of Chowan, Morrill, Nicholson,

Painter, Pearson, Proffitt, Ragland, Rea, Renfrow, Robbins, Robinson, Reynolds, Seymour, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sweat, Sykes, Vestal, Vest, Waldrop, Welch, White, Williams of Sampson and Wilson—82.

The resolution was then adopted.

Mr. Humphries introduced

A bill to better protect the fowling interests of the waters of Currituck county.

Referred to the Committee on Propositions and Grievances.

A bill to authorize the Commissioners of Craven county to issue bonds

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnett, Boddie, Candler, Carson, Cherry, Clayton, Davis, Davidson, Ellington, Ferebee, Forkner, French, Gahagan, Gibson, Gilbert, Green, Harris of Wake, Hilliard, Hodgin, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Long of Richmond, Mayo, Mendenhall, Morrill, Proctor, Proffitt, Ragland, Rea, Robbins, Reynolds, Seymour, Siegrist, Sinclair, Smith of Martin, Snipes, Stanton, Sweat, Vestal, Vest, Waldrop, Welch, White, Williams of Sampson and Wilson—51.

Those who voted in the negative were,

Messrs. Durham, Harris of Franklin, Hawkins, Hayes, Hicks, Hinnant, Hodnett, Horney, McMillan, Moore of Alamance, Nicholson, Painter, Peck, Shaver, Smith of Alleghany, Smith of Wayne and Sykes—17.

Mr. Barnett, from the Committee on Corporations, reported

A bill to extend the corporate limits of Elizabeth City, favorably;

A bill to incorporate Clay Lodge, No. 301, F. and A. Masons, favorably;

A bill to incorporate the Excelsior Planting Company, favorably; and

A bill to incorporate the Roanoke Missionary Baptist Relief Association, favorably.

A bill to authorize the Commissioners of Burke county to levy a special tax was taken up.

Mr. Wilson moved to amend the first section of the bill by striking out the word "five," and inserting in lieu thereof the word "six."

The amendment was adopted, and

The bill, as amended, passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnett, Barnes, Boddie, Candler, Carson, Carey, Cherry, Clayton, Davis, Davidson, Ellington, Farrow, Forkner, French, Gahagan, Gibson, Gilbert, Green, Grier, Harris of Franklin, Harris of Wake, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Mayo, McMillan, Mendenhall, Morrill, Pearson, Proctor, Proffitt, Ragland, Robbins, Reynolds, Siegrist, Sinclair, Snipes, Stanton, Vest, Waldrop, White, Williams of Sampson and Wilson—51.

Those who voted in the negative were,

Messrs. Durham, Gunter, Hawkins, Hicks, Hinnant, Hodnett, Hoffman, Moore of Alamance, Nicholson, Painter, Rea, Shaver and Smith of Alleghany—13.

A Senate resolution to amend the joint rules was

Rejected.

Mr. Robinson introduced

A resolution in favor of Eugene A. Boner.

On motion of Mr. Robinson,

The rules were suspended, and

The resolution was taken up.

On the adoption of the resolution,

Mr. Vest called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnett, Barnes, Boddie, Carson, Carey, Clayton, Davis, Downing, Durham, Eagles, Ellington, Farrow, Ferebee, Forkner, Foster, French, Gahagan, Gatling, Gibson, Gilbert, Green, Grier, Harris of Franklin, Hawkins, Hicks, Hilliard, Hoffman, Horney, Humphries, Ingram, Jarvis, Kelly of Davie, Malone, Mayo, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Nicholson, Painter, Renfrow, Robinson, Reynolds, Seymour, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Vest, Waldrop, White, Williams of Harnett, Williams of Sampson and Wilson—60.

Those who voted in the negative were,

Messrs. Candler, Gunter, Hendricks, Hinnant, Hodgin, Hodnett, Justice of Rutherford, Kelly of Moore, Leary, Long of Chatham, Pearson, Rea, Shaver, Siegrist, Sweat, Sykes and Vestal—16.

Mr. Ames introduced

A resolution in regard to the *per diem* of absent members.

Laid over.

A bill to better protect the fowling interests in the waters of Currituck county

Passed its second and third readings.

A bill to incorporate the Edgecombe Masonic Building Association

Passed its second and third readings.

A bill to extend the time for perfecting entries in Jackson county

Passed its second and third readings.

A bill to incorporate a society for the relief of Preachers of the Virginia Conference, M. E. Church South, and their families, &c., was taken up.

The question being on the passage of the bill on its final reading,

Mr. Renfrow called for the yeas and nays.

The call being sustained,

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Barnett, Boddie, Clayton, Davis, Downing, Durham, Ellis, Ellington, Ferebee, Forkner, Foster, French, Gibson, Green, Grier, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hendricks, Hicks, Hodgin, Hodnett, Hoffman, Humphries, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Nicholson, Painter, Proctor, Proffitt, Ragland, Rea, Robinson, Reynolds, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Wayne, Snipes, Sweat, Vestal, Vest, Welch, White and Williams of Harnett—59.

Those who voted in the negative were,

Messrs. Banner, Carson, Carey, Crawford, Eagles, Gahagan, Hayes, Hinnant, Justice of Rutherford, Kinney, Mayo, Robbins, Smith of Martin, Waldrop and Wilson—14.

Mr. Ames, from the Committee on Internal Improvements, reported

A Senate bill to repeal an act amendatory of an act to incorporate the Western North Carolina Railroad Company, ratified the 15th day of February, 1855, and of all acts amendatory thereof, favorably, with an amendment.

Mr. Moore, from the Judiciary Committee, reported

A bill to require defendants in an action for the recovery of real estate to file a bond for costs, favorably, with amendments.

A bill in relation to taking or shooting trout in the waters of the counties west of the Blue Ridge, was taken up.

Mr. Robinson offered the following as a proviso to the same:

"*Provided*, That the operation of this act shall not apply to the counties of Macon, Yancey, Transylvania, Jackson and Buncombe."

The amendment was adopted; and

The bill, as amended,

Passed its second and third readings.

On motion of Mr. Sinclair,

The House adjourned to meet again at ten o'clock, Monday.

MONDAY, JANUARY 31st, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Brief leaves of absence were granted Messrs. Shaver, Williamson, Foster and Barnes.

Mr. Robinson presented

A petition in relation to the establishment of a new county by the name of Swain.

Referred to the Committee on Counties and Townships.

Mr. French introduced

A bill to incorporate the Wilmington and Carolina Railroad Company.

Referred to the Committee on Internal Improvements.

Mr. Painter introduced

A resolution requiring the Secretary of State to furnish each member of the General Assembly with bound copies of the laws, &c.

Laid over.

Mr. Long, of Chatham, introduced

A bill to prevent members absent without leave from drawing pay.

Laid over.

Mr. Long, of Richmond, introduced

A bill to authorize the Commissioners of Richmond county to levy a special tax.

Laid over.

Mr. Downing introduced

A bill to empower the municipal authorities of Monroe, in Union county, to prohibit the sale of ardent spirits within said town.

Laid over.

Mr. Farrow introduced

A bill to authorize the Commissioners of Hyde county to levy a special tax.

Laid over.

Mr. Ashworth, from the Committee on Penal Institutions, reported

A bill to compel officers to place convicts in the State Prison, unfavorably, and

A bill concerning punishments, unfavorably.

Mr. Moring presented

A survey of townships from the Commissioners of Wake county.

Referred to the Committee on Counties and Townships.

Mr. Farrow introduced

A bill to regulate pilotage at Hatteras and Ocracoke.

Referred to the Committee on Propositions and Grievances.

A bill to amend the corporation act of the town of Winston

Passed its second and third readings.

Mr. Moore, from the Committee on Finance, reported

A bill authorizing the Commissioners of Nash county to levy a special tax, favorably.

On motion of Mr. Ames,

The rules were suspended, and

A resolution in regard to the *per diem* of absent members was taken up.

Mr. Ferebee moved to amend, by inserting the words "except in case of sickness with himself or family."

The amendment was adopted.

Mr. Sinclair moved to amend, by inserting the words "for the future."

The amendment was rejected.

Mr. Vest moved to amend, by adding the words: "*Provided*, That this resolution shall not be considered to apply to certificates issued prior to January the 10th, 1870."

The amendment was rejected.

Mr. Moore, of Chowan, moved to amend, by striking out in

line 8 the words "for his *per diem*," and inserting the words "for *per diem* during the time he was absent."

The amendment was adopted.

Mr. Malone offered a substitute for the whole.

On the adoption of the substitute,

Mr. Malone called for the yeas and nays.

The call being sustained,

The substitute was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Boddie, Carey, Cawthorn, Cherry, Clayton, Crawford, Durham, Eagles, Ellington, Farrow, Ferebee, Gibson, Gilbert, Grier, Gunter, Harris of Franklin, Hawkins, Hayes, Hendricks, Hinnant, Hoffman, Humphries, Ingram, Kelly of Davie, Leary, Long of Chatham, Long of Richmond, Malone, Moore of Alamance, Nicholson, Ragland, Robinson, Reynolds, Siegrist, Smith of Alleghany, Smith of Wayne, Sykes, Vestal and Williams of Sampson—40.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Ashworth, Barnes, Candler, Carson, Davis, Downing, Forkner, French, Gahagan, Graham, Hilliard, Hodgin, Hodnett, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Mayo, Mendenhall, Moore of Chowan, Morrill, Pearson, Proctor, Rea, Renfrow, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Sweat, Vest, Welch, White and Wilson—39.

The resolution then passed its second reading.

On the third reading of the same,

Mr. Jarvis offered a substitute for the whole.

The substitute was adopted.

The resolution then passed its final reading.

Mr. Leary introduced

A bill concerning townships in the county of Cumberland.

Referred to the Committee on Counties and Townships.

The hour for the special order having arrived, it being

A bill to facilitate the completion of railroads, &c.

The same was made special for Tuesday, at ten o'clock.

Mr. Reynolds introduced

A bill to deem an attempted sale of a homestead a misdemeanor, except as is prescribed in chapter 137, section 1, of the laws of 1868 and 1869.

Referred to the Judiciary Committee.

A message was received from the Senate transmitting, for consideration of the House,

A bill to incorporate the Randleman Manufacturing Company;

A bill to amend an act to incorporate the Guilford Co-operative Business Association;

A bill to provide for the transfer of insane convicts from the Penitentiary to the Asylum;

A bill to repeal an act to protect Sheriffs in the sale of land for taxes; and

A bill to amend and consolidate the several acts of the General Assembly for the organization and government of the University, and for other purposes.

The bills were appropriately referred.

A message was received from the Senate transmitting, for concurrence,

Amendments to a bill to incorporate the Young Men's Intelligent and Enterprising Association.

The amendments were concurred in.

A message was received from the Senate transmitting, for concurrence,

Amendments to a resolution concerning property destroyed by the Federal army in certain cases.

Laid over.

A message was received from the Governor, transmitting

A statement from the Auditor, showing the valuation of real estate and personal property and taxes derived from the same, &c.

Ordered printed and referred to the Committee on Finance.

A bill to amend section 8, chapter 137 of the laws of 1868 and 1869

Passed its final reading.

A bill declaratory of the cases to which an act concerning the settlement of estates of deceased persons, being chapter 113 of the laws of 1868 and 1869, is applicable,

Passed its final reading.

A bill to allow witnesses attending Justices' Courts a compensation, was taken up.

Mr. Hodnett moved to amend by inserting after the word "receive," the words "seventy-five cents per day and no mileage."

The amendment was adopted; and the bill, as amended,

Passed its final reading.

Mr. Moore, of Chowan, introduced

A bill to authorize the Commissioners of Chowan county to levy a special tax.

Laid over.

A bill to investigate the affairs of certain Railroad companies

Failed to pass its sceond reading.

A bill to allow Justices of the Peace to take depositions without a commission

Passed its second reading.

A bill concerning Public Roads and Bridges

Failed to pass its second reading.

A bill to require defendants in an action for the recovery of real estate to file a bond for costs, was taken up.

The amendments offered by the Committee on the Judiciary were adopted, and the bill, as amended,

Passed its second and third readings.

A bill to consolidate different townships

Failed to pass its second reading.

A bill to compel Railroad Companies to pay full value for stock killed

Failed to pass its second reading.

A bill concerning the registration of voters in towns, cities and villages

Failed to pass its second reading.

A bill to regulate the meetings of County Commissioners
Failed to pass its second reading.
A bill in relation to Public Libraries
Passed its second and third readings.
A bill for the relief of Sheriffs
Failed to pass its second reading.
A bill to amend section 4, chapter 117, of the laws of 1868 and 1869, was taken up.
The amendments offered by the Committee on the Judiciary were adopted, and the bill, as amended,
Passed its second and third readings.
A bill to legalize certain elections, and
A bill authorizing clerks of Superior Courts to make title to real estate, in certain cases,
Failed to pass their second readings.
Mr. Downing introduced
A bill to amend the charter of the city of Charlotte.
Referred to the Committee on Corporations.
On motion of Mr. Seymour,
The House adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, February 1st, 1870.

The House met pursuant to adjournment,
Mr. Speaker Holden in the Chair.
Prayer by Rev. Dr. Smith, of the House.
Leave of absence was granted Mr. Hoffman, for one week; to Mr. Williams, of Sampson, for one week; to Mr. Malone, for two weeks; to Mr. Candler, for two weeks.
Mr. Seymour, from the Committee on the Judiciary, reported
A bill to amend section 30, chapter 113, and section 10, chapter 237, of the laws of 1868 and 1869, unfavorably;

A bill to allow females to sign deeds before Township Commissioners, unfavorably;

A resolution in relation to the drawing of jurors, asking to be discharged from consideration;

A bill to provide for drawing jurors in certain cases, favorably;

A bill to change the time of holding terms of the Superior Courts in the third judicial district, favorably;

A bill in regard to probate of deeds by *feme coverts* during the late war, favorably;

A bill to amend sections 149, 266 and 274, of the Code of Civil Procedure, favorably; and

A bill to amend an act to provide for holding special terms of the Superior Courts, unfavorably.

Mr. Ames, from the Committee on Internal Improvements, reported

A Senate bill to restore the credit of the State and to facilitate the completion of unfinished railroads, favorably, with an amendment, viz: to strike out section eight of the bill.

Also,

A bill to repeal certain sections of the public laws of 1868 and 1869, unfavorably.

Mr. Moore, of Alamance, introduced

A resolution in regard to refunding special taxes.

Referred to the Committee on Finance.

Mr. French introduced

A resolution in relation to the Cape Fear Harbor.

Laid over.

Mr. Boddie introduced

A bill in relation to the support of insane persons not in the asylum.

Laid over.

Mr. White introduced

A bill to provide for levying a special tax in Perquimans county.

Laid over.

Mr. Ragland introduced

A bill to prohibit the sale of property under execution, in certain cases.

Referred to the Judiciary Committee.

Mr. Seymour moved a reconsideration of the vote by which the House adopted the report from the Committee of Conference on amendments to the bill to establish special courts in the cities of Wilmington and Newbern.

The motion prevailed.

Mr. Seymour then moved to re-commit the bill to the Committee of Conference.

The motion prevailed, and

The bill was re-committed.

Mr. Downing presented

A petition from a portion of the citizens of Union county in relation to the sale of intoxicating liquors in the town of Monroe.

Laid over.

The hour for the first special order having arrived, it being

A bill to consolidate the Atlantic and North Carolina and the North Carolina Railroads,

On motion of Mr. Seymour,

The bill was made special for Wednesday at twelve o'clock.

The hour for the second special order having arrived, it being

A Senate bill to restore the credit of the State and to facilitate the unfinished railroads,

The same was taken up.

The question being on the adoption of the amendment proposed by the Committee on Internal Improvements,

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Downing, Gahagan, Sinclair, Simonds and Vest—6.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Banner, Barnett, Barnes, Boddie, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davis, Davidson, Durham, Eagles, Ellington, Farrow, Ferebee, Forkner, Franklin, Gilbert, Grier, Gunter, Harris of Wake, Hawkins, Hayes, Hendricks, Hicks, Hinnant, Hodgin, Hodnett, Hoffman, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Nicholson, Painter, Pearson, Pou, Proffitt, Ragland, Rea, Renfrow, Robbins, Robinson, Reynolds, Seymour, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sweat, Sykes, Thompson, Vestal, Waldrop, Welch, White, Williams of Sampson and Wilson—79.

Mr. Proctor moved to amend section nine of the bill by striking out all after the word "prison," and inserting the words "for not less than twenty years."

The amendment was rejected.

Mr. Downing moved to amend the same section by striking out the word "five" and inserting the word "three."

The amendment was rejected.

Mr. Candler moved to amend section three by striking out in line ten the words "money or other," and in line twelve the words "money, proceeds, or."

Mr. Ames called the previous question.

The question being "Shall the main question be now put?"

The vote was decided in the affirmative.

The question then being on the amendment offered by Mr. Candler,

The amendment was rejected.

The question then recurring on the passage of the bill on its second reading,

Mr. Vest called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Barnett, Barnes, Boddie, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davis, Davidson, Durham, Eagles, Ellington, Farrow, Ferebee, Forkner, Franklin, Gatling, Gibson, Gilbert, Grier, Gunter, Hawkins, Hayes, Hendricks, Hicks, Hilliard, Hinnant, Hodnett, Horney, Humphries, Hudgings, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Nicholson, Painter, Pearson, Peck, Ragland, Rea, Robbins, Reynolds, Seymour, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sweat, Thompson, Vestal, Vest, Waldrop, Welch, White, Williams of Sampson and Wilson—76.

Those who voted in the negative were,

Messrs. Ames, Candler, Justus of Henderson, Sinclair and Simonds—5.

On motion of Mr. Justice, of Rutherford,

The rules were suspended, and

The bill passed its final reading.

Mr. Candler moved a reconsideration of the vote just taken.

Mr. Sweat moved to lay this motion on the table, and

The motion to table prevailed.

A bill to allow Justices of the Peace to take depositions without a commission

Passed its final reading.

A bill to prescribe the time for Sheriffs to settle their county taxes

Passed its second reading.

Mr. Eagles, from the Committee of Conference on Senate bill to establish special courts in the cities of Wilmington and Newbern, submitted

A report embracing amendments.

The report was concurred in, the amendments adopted, and
The bill passed its final reading.

A bill to change the time for holding election for State and county officers was

Indefinitely postponed.

A bill granting the consent of the State to the purchase of certain lands by the United States

Passed its second and third readings.

A bill to allow Sheriffs to disregard the homestead and personal property exemption on execution founded on a judgment for crime, was taken up.

Mr. Vest moved to lay the bill on the table.

On this motion,

Mr. Vest called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner Barnes, Boddie, Candler, Carson, Clayton, Ellington, Ferebee, Gatling, Gibson, Grier, Gunter, Hawkins, Hayes, Hendricks, Hicks, Hinnant, Hoffman, Humphries, Jarvis, Justice of Rutherford, Kelly of Davie, Leary, Malone, McCanless, McMillan, Moore of Alamance, Painter, Proffitt, Rea, Robinson, Siegrist, Smith of Alleghany, Smith of Martin, Stanton, Thompson, White and Williams of Sampson—40.

Those who voted in the negative were,

Messrs. Carey, Cawthorn, Crawford, Forkner, Franklin, Gahagan, Gilbert, Graham, Harris of Franklin, Hodnett, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, Mayo, Mendenhall, Pearson, Proctor, Robbins, Simonds, Stevens, Sweat, Vest, Waldrop and Wilson—28.

Mr. Hudgings moved to indefinitely postpone the bill.

The motion was rejected.

Mr. French moved to lay the bill on the table.

On this motion,

Mr. French called the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Carey, Cawthorn, Cherry, Crawford, Downing, Forkner, Franklin, French, Gahagan, Gilbert, Graham, Gunter, Hinnant, Hodnett, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, Mayo, Mendenhall, Moore of Chowan, Nicholson, Pearson, Proctor, Ragland, Renfrow, Robbins, Reynolds, Sinclair, Simonds, Stevens, Sweat, Vest, Waldrop and Wilson—44.

Those who voted in the negative were,

Messrs. Armstrong, Barnes, Boddie, Carson, Clayton, Davis, Davidson, Gibson, Hawkins, Hayes, Hicks, Hoffman, Justice of Rutherford, Leary, Malone, McCanless, McMillan, Moore of Alamance, Painter, Pou, Price, Robinson, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Thompson, Vestal, White and Williams of Sampson—30.

Mr. Moore, of Chowan, introduced

A bill to amend title 22, chapter 2, section 563, of the Code of Civil Procedure.

Referred to the Judiciary Committee.

Mr. Moore, from the Committee on the Judiciary, reported

A bill to repeal section 301 of the Code of Civil Procedure, unfavorably.

Mr. Ames, from the Committee on Internal Improvements, reported

A bill to incorporate the Wilmington and Carolina Railroad Company, favorably.

On motion of Mr. Renfrow,

The House adjourned to meet again at ten o'clock, Wednesday.

WEDNESDAY, February 2nd, 1870.

The House met pursuant to adjournment,

Mr. French in the Chair.

Prayer by Rev. Mr. Long, of the House.

Brief leaves of absence were granted Messrs. Forkner and Rea.

Mr. Justice presented

A petition from a portion of the citizens of Buncombe county in relation to taxation on threshing machines coming into this State from other States.

Referred to the Finance Committee.

Mr. Price presented

A petition from a portion of the citizens of New Hanover county in relation to the disposition of criminals.

Laid over.

Mr. Gunter introduced,

A resolution on adjournment.

Laid over.

Mr. Ashworth, from the Committee on Penal Institutions, reported

A Senate bill to provide for the transfer of insane convicts from the Penitentiary to the asylum, favorably.

Mr. Sykes introduced

A bill to require bills of lading acknowledging receipt of grain for transportation to be expressed in pounds.

Laid over.

A bill to prohibit the sale of intoxicating liquors within three miles of Ashpole church, in Robeson county

Passed its second and third readings.

Mr. Gahagan introduced

A bill to amend an act to establish a turnpike road from Marion, in McDowell, to Asheville, in Buncombe county.

Referred to the Committee on Internal Improvements.

Mr. Proffitt introduced

A bill to authorize the Commissioners of Yancey county to levy a special tax.

Referred to Finance Committee.

The hour for the first special order having arrived, it being

A bill to consolidate the Atlantic and North Carolina and the North Carolina Railroads,

The same was taken up.

Mr. Proctor moved to indefinitely postpone the bill.

Pending this motion,

On motion of Mr. Jarvis,

A bill to repeal certain sections of certain chapters of the laws of 1868 and 1869, was

Made special for Tuesday next at eleven o'clock.

The question recurring on the motion to indefinitely postpone,

Mr. Moring called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Carson, Carey, Cawthorn, Downing, Ferebee, Forkner, Gatling, Gibson, Graham, Gunter, Hayes, Hendricks, Hinnant, Hodgin, Hodnett, Humphries, Long of Richmond, Mendenhall, Pou, Proctor, Renfrow, Siegrist, Smith of Alleghany, Sykes and Vest—27.

Those who voted in the negative were,

Messrs. Ames, Banner, Barnett, Barnes, Boddie, Clayton, Crawford, Davis, Davidson, Dixon, Durham, Eagles, Ellington, Farrow, Franklin, Gahagan, Gilbert, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hicks, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Mayo, McMillan, Moring, Moore of Chowan, Morrill, Morris, Nicholson, Painter, Pearson, Peck, Price, Proffitt, Ragland, Robinson, Reynolds, Seymour, Simonds, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Thompson, Vestal, Waldrop, Welch and Wilson—59.

Mr. Downing moved to re-commit the bill to the Committee on Internal Improvements, have it printed, and made special for Wednesday next, at eleven o'clock.

On this motion,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Banner, Barnett, Barnes, Boddie, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Downing, Durham, Eagles, Ellington, Ferebee, Forkner, Franklin, French, Gahagan, Gatling, Gibson, Graham, Grier, Gunter, Harris of Wake, Hawkins, Hayes, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Humphries, Hudgings, Kelly of Moore, Kinney, Leary, Long of Chatham, Mayo, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Pou, Proctor, Proffitt, Ragland, Renfrow, Robbins, Robinson, Reynolds, Siegrist, Smith of Wayne, Sweat, Sykes, Vestal, Vest, Welch, White and Wilson—65.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Davis, Davidson, Dixon, Farrow, Gilbert, Harris of Franklin, Ingram, Justus of Henderson, Justice of Rutherford, Long of Richmond, Morris, Pearson, Peck, Seymour, Simonds, Snipes, Stevens and Waldrop—20.

Mr. Moore, from the Finance Committee, reported

A bill to compel all Sheriffs to pay over moneys to the County Treasurers, asking to be discharged;

A Senate bill to repeal an act to protect Sheriffs in the sale of lands for taxes, favorably, and

A Senate bill to amend sections 98 and 100, chapter 270, of the laws of 1868 and 1869, recommending its reference to the Judiciary Committee.

Mr. Moore, of Chowan, introduced

A bill to levy taxes for the benefit of the Insane and Deaf and Dumb and Blind Asylums.

Referred to the Committee on the Insane Asylum.

Mr. French introduced

A bill to be entitled an act to incorporate the Mechanics' Building and Loan Association.

Referred to the Committee on Corporations.

Mr. Dixon asked leave to withdraw the report of the Committee on Claims on a resolution in favor of R. S. Tucker, for the purpose of amending the same.

Leave was granted.

Mr. Humphries introduced

A resolution allowing actual expenses to members of the committee appointed to investigate the affairs of the Albemarle and Chesapeake Canal Company.

Laid over.

A bill to authorize the Commissioners of Perquimans county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Barnett, Barnes, Boddie, Carson, Carey, Cawthorn, Clayton, Davis, Davidson, Dixon, Downing, Eagles, Ellington, Ferebee, Forkner, Franklin, French, Gahagan, Gibson, Gilbert, Graham, Grier, Harris of Franklin, Hayes, Hendricks, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, Mayo, Mendenhall, Moore of Chowan, Morris, Price, Proctor, Robbins, Reynolds, Siegrist, Simonds, Snipes, Stanton, Stevens, Sykes, Waldrop, White and Wilson—55.

Those who voted in the negative were,

Messrs. Durham, Gunter, Hinnant, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Smith of Alleghany, Thompson and Vestal—11.

On motion of Mr. Painter,

The House adjourned to meet again at ten o'clock, Thursday.

THURSDAY, FEBRUARY 3d, 1870.

The House met pursuant to adjournment,

Mr. French in the Chair.

Prayer by Rev. Mr. Morris, of the House.

Leave of absence was granted Mr. Gunter from Saturday next until the following Tuesday; to Mr. Kelly, of Moore, from Wednesday next until the following Saturday; to Mr. Ashworth until Wednesday next; to Mr. Stanton from Wednesday next until the following Saturday; to Mr. Pou for next Saturday; to Mr. Renfrow from Friday until Monday following; and to Mr. Sweat from Monday next until the following Saturday.

Mr. Kinney presented

A petition from a portion of the citizens of Davidson county in favor of Alexander Windford and Francis Barrow.

Referred to the Committee on Propositions and Grievances.

Mr. Ames, from the Committee on Internal Improvements, reported

A bill to incorporate the Wilmington and Carolina Railroad Company, favorably.

Mr. Barnett, from the Committee on Corporations, reported

A Senate bill to incorporate the Randleman Manufacturing Company, favorably;

A Senate bill to amend an act to incorporate the Guilford Co-operative Business Association, favorably; and

A bill to incorporate the Tarboro' Gas Light Company, favorably.

Mr. Moore, of Alamance, introduced

A resolution requesting the Public Treasurer to report the amount of taxable property and the per centum necessary to be levied to meet the expenditures of the State government.

Laid over.

Mr. Carey introduced

A bill to amend chapter 108 of the public laws of 1868 and 1869.

Referred to the Finance Committee.

A bill to amend chapter 270 of the public laws

Passed its second and third readings.

A message was received from the Senate, transmitting

A bill in aid of investigation ordered by the Senate into the affairs of certain railroad bonds.

Referred to the Finance Committee.

Also,

A message transmitting

A bill to change the time for holding Superior Courts in the 10th Circuit.

Referred to the Judiciary Committee.

Mr. Justice introduced

A bill to be entitled "Procedure in Criminal Actions." (C. B.)

Referred to the Judiciary Committee.

A bill in regard to the probate of deeds by *feme coverts* during the late war

Passed its second and third readings.

A bill to provide for the drawing of jurors in certain cases

Passed its final reading.

The Speaker announced the following named gentlemen to constitute the Committee on Internal Improvements:

Committee on Internal Improvements.—Messrs. Ames, Graham, Whitley, Argo, Cawthorn, Justice of Rutherford, Smith of Martin, Nicholson, Vest, Jarvis, Robinson, Sinclair, Eagles, Painter and Downing.

A bill to amend chapter 184 of the laws of 1868 and 1869, in relation to examiners, was

Laid on the table.

The hour for the special order having arrived, it being

A bill to re-endow the University of the State,

The same was taken up.

Mr. Argo introduced, by leave,

A resolution in relation to the bill to re-endow the University of the State.

Mr. Argo moved to postpone the special order for twenty minutes.

The motion prevailed.

Mr. Argo moved a suspension of the rules for the purpose of taking up the resolution first introduced by himself.

On this motion,

Mr. Pou called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Barnett, Boddie, Carson, Cawthorn, Clayton, Davis, Davidson, Durham, Farrow, Ferebee, Gatling, Gibson, Grier, Gunter, Hawkins, Hicks, Hilliard, Humphries, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Long of Chatham, Long of Richmond, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Pou, Proctor, Proffitt, Ragland, Robinson, Siegrist, Smith of Alleghany, Smith of Wayne, Stanton, Thompson, Vestal and Williams of Harnett—45.

Those who voted in the negative were,

Messrs. Blair, Carey, Cherry, Crawford, Dixon, Downing, Eagles, Ellington, Forkner, Franklin, French, Gahagan, Gilbert, Graham, Harris of Wake, Hayes, Hendricks, Hinnant, Hodgin, Horney, Hudgings, Kelly of Moore, Kinney, Leary, Mayo, McCanless, Morrill, Morris, Peck, Price, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Stevens, Sweat, Sykes, Vest, Waldrop, White and Wilson—43.

The question then being on the adoption of the resolution,

Mr. Moore, of Chowan, offered to amend; when,

On motion of Mr. Seymour,

The subject was ordered printed and made special for Friday, at eleven o'clock.

The bill to re-endow the University was then taken up.

Mr. Hodnett offered the following as an additional section, to be titled "section 2nd," viz:

"That eight thousand shares of the State's capital stock in the North Carolina Railroad Company be, and the same is hereby authorized to be assigned and transferred, in like manner and upon like conditions, to the Board of Education, to be held forever by said Board; and the dividends and profits thereof to be annually or otherwise applied to the support of the free schools in the State."

Mr. Vest offered

A substitute for the whole.

The substitute was rejected.

The question then recurring on the amendment offered by Mr. Hodnett,

Mr. Seymour moved to amend by striking out the words "eight thousand" and inserting the words "twenty-six thousand;" also by inserting after the word "that," in line 1st, the words "the dividends and profits arising from;" also by striking out all after the word "company" in line 3, to the word "to" in line 9; also by adding the words "*Provided*, That said stock so transferred, shall never be sold or transferred in any manner, without the consent of the General Assembly: *Provided further*, That nothing in this act shall in any way affect the manner of appointment of the State Directors or State proxy in said road, but that the vote of the State upon the shares of stock so held shall be cast in the manner prescribed by law."

Pending discussion,

On motion of Mr. Downing,

The House adjourned to meet again at ten o'clock, Friday.

FRIDAY, February 4th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Long, of the House.

Leaves of absence were granted Mr. Ellington for ten days; to Mr. Boddie from Saturday till Tuesday following; to Mr. Seymour for two days; to Mr. Mendenhall from Saturday until the following Tuesday; to Mr. Pearson for one day.

Mr. French, from the Committee on Education, reported

A Senate bill to amend and consolidate the several acts of the General Assembly for the organization and government of the University, and for other purposes, favorably, with an amendment;

A bill to amend an act to provide for a system of public instruction, unfavorably; and

A bill to amend chapter 184 of the laws of 1868 and 1869, unfavorably.

Mr. Painter introduced

A resolution of instruction to the Finance Committee.

Laid over.

Mr. Carey introduced

A bill to amend section 37, chapter 108 of the public laws.

Referred to the Finance Committee.

Mr. Sykes introduced

A bill to allow John L. Wood, Sheriff of Pasquotank county, to collect arrearages of taxes.

Referred to the Finance Committee.

Mr. Proctor introduced

A bill to repeal an ordinance appointing commissioners to prepare a code of practice and procedure in the different courts of the State.

Laid over.

Mr. Dixon, from the Committee on Claims, reported

A resolution allowing actual expenses to members of the

Committee to investigate the affairs of the Albemarle and Chesapeake Canal Company, favorably, with amendments.

Mr. Price introduced

A bill to incorporate the Cape Fear Building Association.

Referred to the Committee on Corporations.

Mr. Justus introduced

A bill to amend the corporation of Hendersonville.

Laid over.

Mr. Seymour, from the Committee on Judiciary, reported

A bill to punish persons for violating the town laws of Salem, favorably;

A bill to prevent the sale of interests in homesteads, favorably;

A bill to amend section 19 of an act concerning Guardian and Ward, favorably, with amendments;

A bill concerning the maintenance of convicts, favorably, with amendments;

A bill to regulate the manner of applying for pardons, favorably, with amendments;

A bill to repeal section 15, chapter 277 of the Acts of 1868 and 1869, and section 429 of the Code of Civil Procedure, and to substitute other provisions on the same subject, favorably;

A bill in relation to official bonds, favorably;

A bill to extend the time for transferring actions to the Superior Courts, unfavorably;

A bill concerning treasurers of townships, favorably, with amendments;

A bill to amend chapter 3, title 20, of the Code of Civil Procedure, unfavorably; and

A bill relating to investments made by persons in a fiduciary capacity, favorably.

The unfinished business of the previous day was taken up, it being

A bill to re-endow the University of North Carolina.

By leave,

Mr. Seymour withdrew his amendments offered on the previous day.

Mr. Seymour then offered a substitute for the amendment offered by Mr. Hodnett.

The substitute was accepted, no objection being made.

Mr. Pou moved to refer the whole to the Judiciary Committee, and make special for Wednesday next at twelve o'clock.

Mr. Vestal moved to lay the bill on the table.

On this motion,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Banner, Carson, Clayton, Davis, Durham, Farrow, Ferebee, Gatling, Gibson, Grier, Gunter, Hawkins, Hendricks, Hicks, Hilliard, Humphries, Jarvis, Justice of Rutherford, Kelly of Davie, McCanless, McMillan, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Siegrist, Smith of Alleghany, Stevens, Thompson, Vestal, Vest, Welch and Williams of Harnett—36.

Those who voted in the negative were,

Messrs. Bowman, Carey, Cherry, Dixon, Downing, Ellington, French, Gahagan, Gilbert, Graham, Harris of Wake, Hayes, Hinnant, Hodgin, Hodnett, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Long of Richmond, Mayo, Mendenhall, Moore of Chowan, Morrill, Morris, Pearson, Peck, Pou, Price, Proctor, Ragland, Robbins, Reynolds, Seymour, Sinclair, Simonds, Snipes, Sweat, Sykes, Vest, White and Wilson—44.

Mr. Welch moved to indefinitely postpone the bill.

On this motion

Mr. Welch called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Banner, Boddie, Carson,

Clayton, Davis, Davidson, Durham, Farrow, Gatling, Gibson, Grier, Gunter, Harris of Franklin, Hawkins, Hicks, Hinnant, Humphries, Jarvis, McMillan, Nicholson, Painter, Proffitt, Robinson, Siegrist, Smith of Alleghany, Thompson, Vestal, Vest, Welch and Williams of Harnett—33.

Those who voted in the negative were,

Messrs. Barnett, Bowman, Carey, Cawthorn, Cherry, Dixon, Downing, Eagles, French, Gahagan, Gilbert, Graham, Harris of Wake, Hayes, Hodgin, Hodnett, Horney, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Morris, Pearson, Pou, Price, Proctor, Robbins, Reynolds, Seymour, Sinclair, Simonds, Snipes, Stevens, Sweat, Sykes, Waldrop, White and Wilson—47.

Mr. Justice moved to refer the bill to the Judiciary Committee, and make it special for Thursday next at eleven o'clock.

The motion prevailed.

A message was received from the Governor, transmitting a statement giving the names, offences, and dates of conviction of the different criminals who have been pardoned, commuted or respited from the commencement of his Excellency's administration to January 1st, 1870, &c., &c.

Ordered printed.

Mr. Price introduced

A bill concerning inspectors.

Referred to the Committee on Counties and Townships.

Leave of absence was granted Mr. Hendricks for two weeks.

A bill to prevent destruction of fish in the waters of North Carolina was

Indefinitely postponed.

A resolution in relation to a bill to re-endow the University of the State was taken up.

Mr. Seymour moved to lay the resolution on the table.

On this motion,

Mr. Painter called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Banner, Blair, Bowman, Carey, Cherry, Crawford, Dixon, Downing, Eagles, Ellington, French, Gahagan, Gilbert, Graham, Harris of Wake, Hayes, Hodgin, Hudgings, Kelly of Moore, Kinney, Leary, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Morris, Pearson, Proctor, Robbins, Reynolds, Seymour, Sinclair, Simonds, Stevens, Sweat, Sykes, Vest, White and Wilson—42.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Carson, Clayton, Davis, Davidson, Durham, Ferebee, Gatling, Gibson, Grier, Gunter, Hawkins, Hicks, Hodnett, Humphries, Ingram, Justice of Rutherford, Kelly of Davie, Long of Chatham, McMillan, Nicholson, Painter, Pou, Proffitt, Robinson, Seigrist, Smith of Alleghany, Snipes, Thompson and Williams of Harnett—31.

Mr. Gatling introduced

A bill to authorize the Treasurer to pay to the Attorney General such sum of money as may be required to conduct a suit against the Albemarle and Chesapeake Canal Company.

On motion of Mr. Gatling,

The rules were suspended, and

The bill passed its second reading.

Leave of absence was granted Mr. Moore, of Alamance, until Monday next.

On motion of Mr. Seymour,

The House adjourned to meet again at ten o'clock, Saturday.

SATURDAY, February 5th, 1870.

The House met pursuant to adjournment,

Mr. French in the Chair.

Prayer by Rev. Mr. Long, of the House.

Leave of absence was granted Mr. Grier for one week.

Mr. Graham, from the Committee on Insane Asylum, reported

A bill to levy taxes for the benefit of the Insane and the Deaf and Dumb and Blind Asylums of the State, favorably.

Mr. Humphries introduced

A resolution in favor of the Sheriff of Currituck county.

Passed its several readings, under a suspension of the rules.

Mr. Durham introduced

A bill to make uniform the mode of procedure respecting the jurisdiction of the courts, &c.

Referred to the Judiciary Committee.

A bill to prescribe the time for the Sheriffs to settle their County taxes

Passed its final reading.

A bill to authorize the Commissioners of Perquimans county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Bowman, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davidson, Dixon, Eagles, Ellington, Ferebee, Franklin, French, Gahagan, Gibson, Gilbert, Graham, Harris of Franklin, Harris of Wake, Hayes, Hendricks, Hilliard, High, Hodgin, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kinney, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Morris, Price, Proffitt, Renfrow, Robbins, Reynolds, Sinclair, Simonds, Smith of Martin, Snipes, Sykes, Vest, Waldrop, White and Wilson—54.

Those who voted in the negative were,

Messrs. Blair, Durham, Hicks, Hodnett, McMillan, Pou, Siegrist, Smith of Alleghany, Thompson, Vestal and Williams of Harnett—11.

Mr. Harris, of Wake, introduced

A bill to empower the Commissioners of Wake county to levy a special tax.

Laid over.

A resolution in favor of Hugh B. Guthrie

Passed its second reading, as amended by the Committee on Propositions and Grievances.

A bill to prohibit bathing in Lumber river within certain distances

Passed its second reading.

A bill to incorporate Foy's Mathematical and Classical High School

Passed its second and third readings.

A bill to incorporate Carey Lodge, A. Y. M.,

Passed its second and third readings.

A bill to authorize the Sheriff of Yadkin county to collect arrears of taxes

Passed its second reading.

A bill to authorize the Commissioners of Hyde county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Banner, Bowman, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davidson, Dixon, Farrow, Ferebee, Franklin, French, Gahagan, Gatling, Gibson, Gilbert, Graham, Harris of Franklin, Hayes, Hilliard, Humphries, Ingram, Justice of Rutherford, Kelly of Davie, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Morrill, Morris, Price, Proctor, Proffit, Ragland, Robbins, Robinson, Reynolds, Siegrist, Sinclair, Simonds, Smith of Martin, Thompson, Vest, Waldrop, Welch, White and Wilson—55.

Those who voted in the negative were,

Messrs. Blair, Hawkins, Hicks, Horney, Jarvis, McMillan, Nicholson, Painter, Pou, Smith of Alleghany and Vestal—11.

Leave of absence was granted Mr. Hudgings for one week.

A bill to amend an act to incorporate the Cape Fear Agricultural Association, was taken up.

Mr. French moved to amend by striking out section third of the bill.

The amendment was adopted, and

The bill, as amended, passed its second and third readings.

A bill to punish persons for violating the town laws of Salem

Passed its second and third readings.

A bill to authorize the Commissioners of Richmond county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davidson, Dixon, Farrow, Ferebee, French, Gahagan, Gatling, Gibson, Gilbert, Graham, Grier, Harris of Franklin, Hayes, Hodgin, Ingram, Justice of Rutherford, Kelly of Davie, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Morrill, Morris, Price, Proffitt, Robbins, Robinson, Reynolds, Smith of Martin, Snipes, Sykes, Vest, Waldrop, Welch, White and Wilson—48.

Those who voted in the negative were,

Messrs. Blair, Hawkins, Hicks, Hinnant, Hodnett, Horney, Jarvis, McMillan, Nicholson, Painter, Pou, Siegrist, Smith of Alleghany, Thompson, Vestal and Williams of Harnett—16.

A bill to authorize the Sheriff of Cleveland county to collect arrears of taxes

Passed its second and third readings.

A Senate bill to authorize the Sheriff of Washington county to collect arrears of taxes

Passed its second and third readings.

A Senate bill to incorporate Junaluska Lodge

Passed its second and third readings.

A bill to incorporate the Lumber River Navigation Company

Passed its second and third readings, as amended by the Committee on Private Bills.

Mr. French, from the Committee on Counties and Townships, reported

A bill concerning Townships in the county of Cumberland, favorably.

Mr. Pou, from the Committee on the Judiciary, reported

A bill to repeal chapter 86 of the laws of 1868 and 1869, favorably;

A bill to create a new county by the name of Trenton, asking to be discharged from its further consideration;

A bill to prohibit the sale of property under execution, unfavorably;

A Senate bill to legalize certain official acts of the chairmen of the late County Courts, favorably;

A Senate bill in regard to the duties of the Judges of the Superior Court, favorably;

A bill to amend paragraph 199, chapter 4, of the Code of Civil Procedure, favorably;

A bill concerning Coroners, favorably;

A bill relating to the supply of acts of the General Assembly to the State Library and to the University, favorably, and

A bill to amend section 199 of the Code of Civil Procedure, favorably.

Mr. Gilbert introduced

A resolution on adjournment.

Laid over.

A bill to create a Turnpike Road in Transylvania County was taken up.

Mr. Clayton moved to amend by inserting, in section 1st, after the word "Commissioners," the words "Superior Court Clerk, Sheriff and Register of Deeds, and their successors."

The amendment was adopted, and the bill

Passed its second and third readings.

Mr. Morris introduced

A bill to cause County Treasurers to pay school claims.

Referred to the Committee on Education.

A bill to incorporate the Tarboro' Gaslight Company

Passed its second and third readings.

A Senate bill to amend an act to incorporate the Wilmington Life Insurance Company

Passed its second and third readings.

A bill to fix the compensation of the Treasurer of Rutherford county was taken up.

Mr. Humphries moved to amend by inserting "the treasurer of Wilson county," and Mr. White by inserting "the treasurer of Perquimans county."

The amendments were adopted.

Mr. Cawthorne moved to amend by including "the treasurer of Warren county."

Mr. Leary moved to lay the bill on the table.

On this motion,

Mr. Pou called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Blair, Carey, Davidson, Durham, Farrow, Ferebee, Franklin, Gibson, Graham, Grier, Hawkins, Hinnant, Hodgin, Hodnett, Kelly of Davie, Leary, Long of Chatham, Long of Richmond, McCanless, Mendenhall, Morris, Nicholson, Pou, Smith of Alleghany, Thompson, Vestal and Williams of Harnett—29.

Those who voted in the negative were,

Messrs. Carson, Cawthorn, Cherry, Clayton, Crawford, Eagles, French, Gilbert, Harris of Franklin, Harris of Wake, Hayes, Hicks, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kinney, Mayo, Morrill, Proctor, Proffitt, Ragland, Robbins, Reynolds, Siegrist, Stevens, Sykes, Vest, Waldrop, Welch, White and Wilson—32.

Mr. Cawthorn withdrew his amendment.

Mr. Justice offered a proviso to the bill.

Mr. Eagles moved to indefinitely postpone the bill.

On this motion,

Mr. Painter called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Blair, Carey, Durham, Eagles, Farrow, Ferebee, Gibson, Gilbert, Hawkins, Hinnant, Hodgin, Jarvis, Leary, Long of Richmond, McCanless, Mendenhall, Nicholson, Pou, Smith of Alleghany, Thompson and Wilkie—22.

Those who voted in the negative were,

Messrs. Ames, Banner, Bowman, Carson, Cawthorn, Clayton Crawford, Franklin, French, Gilbert, Harris of Wake, Hayes, Hicks, Hilliard, Horney, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kinney, Long of Chatham, Mayo, McMillan, Morrill, Morris, Price, Proctor, Proffitt, Ragland, Robbins, Reynolds, Siegrist, Sinclair, Simonds, Snipes, Stevens, Vest, White and Wilson—39.

The proviso offered by Mr. Justice was then adopted.

The question being on the passage of the bill on its second reading,

Mr. Justice called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Banner, Blair, Bowman, Carson, Cherry, Crawford, Franklin, French, Gilbert, Harris of Franklin, Harris of Wake, Hayes, Hicks, Hilliard, Horney, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kinney, Long of Chatham, Long of Richmond, Mayo, McMillan, Morris, Price, Proctor, Proffit, Ragland, Reynolds, Siegrist, Sinclair, Simonds, Snipes, Stevens, Sykes, Vestal, Vest, Waldrop, Welch, White and Wilson—43.

Those who voted in the negative were,

Messrs. Armstrong, Carey, Cawthorn, Clayton, Dixon, Durham, Eagles, Farrow, Ferebee, Gibson, Graham, Hawkins, Hinnant, Hodnett, Kelly of Davie, Leary, McCanless, Men-

denhall, Morrill, Painter, Pou, Robbins, Thompson and Williams of Harnett—24.

The bill then passed its final reading.

Mr. Cherry introduced

A bill to incorporate the Bank of Tarboro'.

Referred to the Committee on Corporations.

A bill to authorize the Commissioners of Chowan County to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davidson, Dixon, Eagles, Farrow, Ferebee, Franklin, French, Gibson, Gilbert, Graham, Harris of Franklin, Harris of Wake, Hodgin, Humphries, Ingram, Justice of Rutherford, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Morrill, Morris, Price, Ragland, Robbins, Reynolds, Sinclair, Simonds, Smith of Martin, Stevens, Vest, Waldrop, Welch, White and Wilson—46.

Those who voted in the negative were,

Messrs. Blair, Hawkins, Hayes, Hicks, Hinnant, Hodnett, Horney, Justus of Henderson, McMillan, Nicholson, Painter, Pou, Siegrist, Smith of Alleghany, Sykes, Thompson and Vestal—16.

A bill to authorize the Commissioners of Polk county to levy a special tax was taken up.

Mr. Waldrop offered a substitute for the same.

The substitute was adopted, and

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Bowman, Carson, Carey, Cawthorn, Cherry, Clayton, Davidson, Dixon, Farrow, Ferebee, French, Gibson, Gilbert, Graham, Harris of Franklin, Harris of Wake, Humphries, Justus of Henderson, Justice of Rutherford, Kinney, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Morrill, Morris, Price, Proctor,

Proffitt, Ragland, Robbins, Reynolds, Sinclair, Simonds, Snipes, Stevens, Vest, Waldrop, Welch, White and Wilson—44.

Those who voted in the negative were,

Messrs. Blair, Eagles, Hawkins, Hayes, Hinnant, Hodnett, Horney, McMillan, Nicholson, Painter, Pou, Siegrist, Smith of Alleghany, Thompson, Vestal and Williams of Harnett—16.

A bill to levy a special tax for the county of Ashe

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Bowman, Carson, Cawthorn, Cherry, Crawford, Davidson, Dixon, Farrow, Ferebee, French, Gibson, Gilbert, Graham, Harris of Franklin, Harris of Wake, Ingram, Justus of Henderson, Justice of Rutherford, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Morris, Peck, Price, Proffit, Rea, Robbins, Reynolds, Siegrist, Sinclair, Smith of Martin, Snipes, Stevens, Sykes, Vest, Waldrop, Welch, White and Wilson—43.

Those who voted in the negative were,

Messrs. Blair, Eagles, Hawkins, Hayes, Hicks, Hinnant, Hodgin, Hodnett, McMillan, Morrill, Nicholson, Painter, Pou, Smith of Alleghany, Thompson, Vestal and Williams of Harnett—17.

On motion of Mr. Proctor,

The House adjourned to meet again at ten o'clock, Monday.

MONDAY, February 7th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Morris, of the House.

Leave of absence was granted Mr. Hawkins, for ten days from Thursday next.

Mr. Clayton introduced

A bill to amend the charter of the Little River Turnpike Company.

Referred to the Committee on Internal Improvements.

Mr. French introduced

A bill to regulate appeals from Justices' Courts in certain cases.

Referred to the Judiciary Committee.

Mr. Durham introduced

A bill to extend the time for S. M. Webb, tax collector for the county of Cleaveland, to settle with the County Treasurer.

Passed second and third readings under suspension of the rules.

A bill to authorize the Public Treasurer to pay to the Attorney General such sums of money as may be required to conduct a suit against the Albemarle and Chesapeake Canal Company, was taken up.

Mr. Gatling offered the following as a proviso to section first of the bill:

Provided, That the amount so drawn shall not exceed fifteen hundred dollars."

Mr. Vest moved to amend the amendment by striking out the word "twenty" and inserting the word "five."

The amendment was rejected.

The amendment offered by Mr. Gatling, was then adopted.

The bill, as amended, then

Passed its final reading.

A bill in favor of Hugh B. Guthrie

Passed its final reading.

A bill to authorize the Commissioners of Richmond county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Bowman,

Carson, Cawthorn, Cherry, Dixon, Farrow, Ferebee, Forkner, Franklin, French, Gibson, Gilbert, Graham, Green, Hayes, High, Humphries, Ingram, Justice of Rutherford, Kelly of Davie, Kinney, Laflin, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Morris, Peck, Price, Ragland, Robbins, Robinson, Reynolds, Sinclair, Simonds, Smith of Martin, Snipes, Stevens, Vest, Waldrop, White and Wilson—49.

Those who voted in the negative were,

Messrs. Blair, Clayton, Durham, Hawkins, Hicks, Hodnett, Horney, Nicholson, Painter, Proctor, Proffit, Renfrow, Siegrist, Smith of Alleghany, Thompson, Vestal and Williams of Harnett—17.

On motion of Mr. Mendenhall,

The House reconsidered the vote by which it tabled

A bill to amend chapter 184 of the laws of 1868 and 1869, in relation to examiners.

The question recurring on the motion to table,

The motion was lost.

The question then recurring on the adoption of the substitute offered by the Committee on Education,

The substitute was adopted, and the bill

Passed its second reading.

A bill to authorize the Commissioners of Hyde county to to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Bowman, Carson, Carey, Cawthorn, Clayton, Davidson, Dixon, Ferebee, Forkner, French, Gibson, Gilbert, Graham, Green, Harris of Franklin, Hayes, Horney, Humphries, Ingram, Justice of Rutherford, Kelly of Davie, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Morris, Proctor, Proffitt, Ragland, Robbins, Robinson, Reynolds, Sinclair, Simonds, Smith of Martin, Stevens, Thompson, Vest, Waldrop, White, Williams of Harnett and Wilson—50.

Those who voted in the negative were,

Messrs. Blair, Eagles, Hawkins, Hicks, Hinnant, Hodnett, McMillan, Nicholson, Painter, Renfrow, Siegrist, Smith of Alleghany and Vestal—13.

Mr. Moore, of Chowan, introduced

A bill in relation to the election of township trustees in the counties of Chowan, Polk, Washington and Gates.

Laid over.

A bill to authorize the sheriff of Yadkin county to collect arrearages of taxes

Passed its final reading.

A bill to prohibit bathing in Lumber river, within certain distances, was taken up.

Mr. Sinclair moved to amend by striking out, in line 3, the word "half," and inserting the word "quarter;" also by inserting the word "one-half" before the word "below."

The amendments were adopted.

Mr. Proctor moved to amend by striking out all after the word "time," in line fourth, and inserting the following: "he, or they, shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than twenty dollars, or imprisoned, or or both, at the discretion of the Court."

Mr. Stevens moved to amend the amendment by striking out the word "twenty" and inserting the word "five."

The amendment was adopted; and

The amendment, as amended, was adopted.

The bill, as amended, then

Passed its final reading.

A bill to authorize the Commissioners of Polk county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Barnett, Blair, Bowman, Carson, Carey, Cawthorn, Cherry Clayton, Davidson, Durham, Farrow, Ferebee, Forkner Franklin, French, Gatling, Gilbert, Graham, Green, Harri

of Franklin, Hawkins, Hayes, Hodnett, Humphries, Ingram, Justice of Rutherford, Kelly of Davie, Kinney, Leary, Long of Chatham, Long of Richmond, McCanless, Mendenhall, Morrill, Morris, Ragland, Robbins, Robinson, Reynolds, Sinclair, Simonds, Stevens, Vest Waldrop, White and Wilson—51.

Those who voted in the negative were,

Messrs. Gibson, Hinnant, Horney, Nicholson, Painter, Siegrist, Smith of Alleghany, Thompson, Vestal and Williams of Harnett—10.

A message was received from the Senate, transmitting

A bill to authorize the incorporation of the Homestead or Building Association;

A bill to compell persons to work on Public Roads;

A bill to provide for the redemption of real estate sold under execution;

A bill to amend and continue in force an act suspending the Code of Civil Procedure in certain cases, and

A bill authorizing Israel B. Watson, Sheriff of Hyde county, to collect arrears of taxes.

The bills were appropriately referred.

Mr. Barnett introduced

A bill to postpone the further collection of taxes.

Referred to the Committee on Finance and ordered printed.

Mr. Welch introduced

A resolution expressing the sense of the General Assembly as to the term of the present members—that an election should be held on the first Thursday of August, 1870.

Mr. Welch moved a suspension of the rules for the purpose of taking up the resolution just introduced.

On this motion,

Mr. Welch called for the yeas and nays.

The call being sustained,

The motion failed for want of a quorum, as follows:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Barnett, Bowman, Cawthorn, Clayton, Davidson, Dixon, Durham, Eagles,

Farrow, Ferebee, Forkner, French, Gatling, Gibson, Graham, Green, Harris of Franklin, Hawkins, Hayes, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Humphries, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Leary, Long of Chatham, McMillan, Mendenhall, Morris, Nicholson, Painter, Proffitt, Ragland, Robinson, Reynolds, Siegrist, Smith of Alleghany, Snipes, Thompson, Vestal, Welch, White and Williams of Harnett—53.

Those who voted in the negative were,

Messrs. Carson, Carey, Justus of Henderson, Morrill, Renfrow and Vest—6.

Mr. Welch moved a call of the House.

On this motion,

Mr. Welch called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnett, Bowman, Cawthorn, Clayton, Davidson, Durham, Eagles, Farrow, Ferebee, French, Gatling, Gibson, Green, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Humphries, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Long of Chatham, Long of Richmond, McMillan, Mendenhall, Nicholson, Painter, Proffitt, Ragland, Robinson, Reynolds, Siegrist, Smith of Alleghany, Thompson, Vestal, Welch, White, Williams of Harnett and Wilson—48.

Those who voted in the negative were,

Messrs. Ames, Blair, Crawford, Dixon, Graham, Justus of Henderson, Leary, Morrill, Morris, Sinclair, Simonds, Stevens, Vest and Waldrop—13.

The roll was ordered called, and

The following named members answered to their names:

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Barnett, Blair, Bowman, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Dixon, Durham, Eagles, Farrow, Ferebee, Forkner, French, Gatling, Gibson, Gilbert, Graham, Green, Harris of

Franklin, Hawkins, Hayes, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Humphries, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Morrill, Morris, Nicholson, Painter, Proctor, Proffitt, Ragland, Renfrow, Robinson, Reynolds, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Snipes, Stevens, Thompson, Vestal, Vest, Waldrop, Welch, White, Williams of Harnett and Wilson—76.

Mr. Justice moved to dispense with further call.

The motion prevailed.

Mr. Welch renewed the motion to suspend the rules.

On this motion,

Mr. Welch called for the yeas and nays.

The call being sustained,

The motion failed for want of a quorum, as follows:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Barnett, Bowman, Carey, Cawthorn, Clayton, Durham, Farrow, Ferebee, French, Gatling, Gibson, Green, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Humphries, Jarvis, Justice of Rutherford, Kelly of Davie, McMillan, Mendenhall, Nicholson, Painter, Proffit, Ragland, Robinson, Siegrist, Smith of Alleghany, Snipes, Thompson, Vestal, Welch, White and Williams of Harnett—44.

Mr. Justus of Henderson, voted in the negative.

Mr. Moore, from the Committee on the Judiciary, reported

A bill making the wilful abandonment for more than two years, a cause for divorce from the bonds of matrimony, favorably.

A bill to authorize the Commissioners of Chowan county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Bar-

nett, Bowman, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davidson, Dixon, Farrow, Ferebee, French, Gatling, Gilbert, Graham, Green, High, Hodgin, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kinney, Laflin, Leary, Long of Chatham, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Proctor, Robinson, Simonds, Snipes, Stevens, Vest and White—44.

Those who voted in the negative were,

Messrs. Blair, Forkner, Gibson, Hawkins, Hicks, Hinnant, Hodnett, Horney, McMillan, Mendenhall, Nicholson, Siegrist, Smith of Alleghany, Thompson, Vestal, Welch, Williams of Harnett and Wilson—18.

A Senate bill to repeal an act amendatory of an act to incorporate the Western North Carolina Railroad Company, ratified the 15th day of February, 1855, and of all acts amendatory thereof,

Passed its second and third readings.

A bill to incorporate the Wilmington and Carolina Railroad Company

Passed its second and third readings.

A Senate bill to incorporate the Planters' Railroad Company was

Ordered printed, and made special for Wednesday next at 12 o'clock.

A bill to incorporate the Edenton and Norfolk Railroad Company

Passed its second and third readings.

A bill to authorize the Commissioners of Perquimans county to issue bonds

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnett, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davidson, Dixon, Durham, Eagles, Forkner, French, Gilbert, Graham, Green, Harris of Franklin, Hawkins, Hayes, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of

Davie, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Morris, Proctor, Ragland, Robinson, Reynolds, Simonds, Smith of Martin, Snipes, Stevens, Vest, Waldrop, Welch, White and Wilson—51.

Those who voted in the negative were,

Messrs. Blair, Gibson, Hicks, Hinnant, Horney, McMillan, Smith of Alleghany, Thompson, Vestal and Williams of Harnett—10.

A bill to authorize the Commissioners of Rutherford county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davidson, Forkner, French, Gilbert, Graham, Green, Harris of Franklin, Hayes, Hodgin, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Morris, Proffitt, Robbins, Robinson, Reynolds, Sinclair, Simonds, Smith of Martin, Snipes, Stevens, Vest, Waldrop, Welch, White and Wilson—46.

Those who voted in the negative were,

Messrs. Blair, Dixon, Durham, Eagles, Gibson, Hawkins, Hicks, Hinnant, Hodnett, Horney, Jarvis, McMillan, Nicholson, Painter, Proctor, Siegrist, Smith of Alleghany, Thompson, Vestal and Williams of Harnett—20.

A bill in favor of John Crisp

Passed its second and third readings.

The House concurred in Senate amendments to

A bill to authorize the Commissioners of Craven county to levy a special tax for the purpose of building bridges, &c.

A bill to amend section 19 of an act concerning Guardian and Ward

Passed its second and third readings.

A resolution instructing the Finance Committee to enquire

into the necessity of clerical force in each of the departments of the State was

Laid on the table.

On motion of Mr. Proctor,

The House adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, February 8th, 1870.

The House met pursuant to adjournment,

Mr. French in the Chair.

Prayer by Rev. Dr. Mason, of the city.

Mr. Seymour presented

A petition in favor of G. B. Willis.

Referred to the Committee on Claims.

Mr. White, from the Committee on Counties and Townships, reported:

A bill to lay off and establish a new county by the name of Swain, favorably.

Leave of absence was granted Mr. Long, of Chatham, till Thursday next; to Mr. Justice from Friday next until the following Thursday; to Mr. Eagles from Friday next until the following Tuesday.

Mr. French introduced

A bill to amend an act entitled an act to secure advances for agricultural purposes.

Referred to the Committee on the Judiciary.

Mr. Justus introduced

A bill to prevent the felling of timber in French Broad river and Mills river and Clear creek.

Laid over.

Mr. Gunter asked for and obtained leave to record his vote in the affirmative on the motion of yesterday to suspend the

rules for the purpose of considering a resolution in relation to the term of members of the present General Assembly.

A message was received from the Senate, transmitting

A bill to amend an act in relation to taking shad and herring in the waters of Neuse river and Contentnea creek;

A bill to change the rules of evidence in certain cases, and secure the possession of land;

A bill to incorporate the Portis Gold Mine and Sandy Creek Water Company;

A bill for the relief of John Horton, Sheriff of Watauga county;

A bill to repeal an act which authorized the Secretary of State to furnish county officers with stationery, and

A bill to make the clerkship of the Superior Court Clerk and the Judge of Probate of New Hanover county a salaried office.

The bills were appropriately referred.

A message was received from the Senate transmitting for concurrence

Amendments to a bill to authorize Z. F. Rush, former Sheriff of Randolph county, to collect arrears of taxes.

Referred to the Finance Committee.

A message was received from the Senate, transmitting

A bill to amend an act to establish the days and places for selling real and personal property under execution;

A bill to incorporate Eastern Star Lodge, I. O. G. T.;

A bill to prevent obstructions in Mud creek, Henderson county.

A bill requiring County Commissioners to report to the Board of Public Charities;

A bill relating to the bonds issued to Railroads in 1868 and 1869;

A bill to annex a part of New Hanover to Sampson county;

A bill authorizing the Superintendent of Public Works to sell State's interest in the Fayetteville and Warsaw Plank Road;

A bill to incorporate Wayne Lodge, F. A. M.;
A bill to incorporate Oak City Council, and
A bill to abolish the office of State Printer.
The bills were appropriately referred.
The hour for the special order having arrived, it being
A bill to repeal certain sections of certain chapters of the Revised Code,
The same was taken up.
Mr. Ames moved to lay the bill on the table.
On this motion,
Mr. Durham called for the yeas and nays.
The call being sustained,
The motion to table was rejected by the following vote:
Those who voted in the affirmative were,
Messrs. Argo, Armstrong, Ashworth, Banner, Blair, Clayton, Davidson, Durham, Ellis, Farrow, Ferebee, Franklin, Gatling, Gibson, Gilbert, Green, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Humphries, Jarvis, Kelly of Davie, Kinney, Long of Richmond, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Ragland, Robinson, Shaver, Siegrist, Smith of Alleghany, Snipes, Sykes, Thompson, Vestal, Welch and Williams of Harnett—49.
Those who voted in the negative were,
Messrs. Ames, Barnett, Bowman, Carson, Carey, Cherry, Crawford, Eagles, Forkner, French, Gahagan, Harris of Wake, Hayes, Ingram, Justus of Henderson, Justice of Rutherford, Laflin, Leary, Mayo, Moore of Chowan, Morrill, Morris, Pearson, Peck, Proctor, Robbins, Sinclair, Simonds, Smith of Martin, Stevens, Sweat, Vest, Waldrop, White, Wilkie and Wilson—36.
Mr. Bowman moved to amend by striking out the words "and section 10, of chapter 36."
The amendment was accepted.
Mr. Vestal moved to amend by striking out the words "and section 4, chapter 32."

Mr. Barnett offered a substitute for the whole.

Mr. French moved to postpone the bill until next Tuesday at twelve o'clock.

On this motion,

Mr. French called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnett, Bowman, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Forkner, Franklin, French, Gahagan, Gilbert, Graham, Gunter, Harris of Wake, Hayes, Hicks, Hilliard, Hodgin, Horney, Ingram, Justus of Henderson, Justice of Rutherford, Kinney, Laflin, Leary, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Pearson, Peck, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Siegrist, Sinclair, Simonds, Smith of Martin, Snipes, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop, Welch, White, Wilkie and Wilson—60.

Those who voted in the negative were,

Messrs. Blair, Clayton, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Harris of Franklin, Hawkins, High, Hinnant, Hodnett, Humphries, Jarvis, Kelly of Davie, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Shaver, Smith of Alleghany, Thompson and Williams of Harnett—27.

Mr. Gunter moved to suspend the rules for the purpose of taking up a resolution on adjournment, viz: to adjourn on the 21st of February, 1870.

On this motion,

Mr. Gunter called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Blair, Bowman, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Gilbert, Green, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hodnett, Humphries, Jarvis, Kelly of Davie, Mendenhall, Moore of

Alamance, Moore of Chowan, Nicholson, Painter, Pou, Proffitt, Robbins, Reynolds, Shaver, Smith of Alleghany, Thompson, Vestal, Welch and Williams of Harnett—36

Those who voted in the negative were,

Messrs. Ashworth, Banner, Barnett, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Forkner, Franklin, Gahagan, Graham, Harris of Wake, Hayes, Hodgin, Ingram, Justice of Rutherford, Kinney, Laflin, Leary, Long of Richmond, Mayo, Morrill, Morris, Pearson, Proctor, Ragland, Renfrow, Siegrist, Sinclair, Simonds, Smith of Martin, Stevens, Sweat, Sykes, Vest and Waldrop—40.

Mr. Durham moved to suspend the rules for the purpose of taking up

A Senate bill to abolish the office of State Printer.

On this motion

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Carson, Clayton, Durham, Ellis, Ferebee, Gatling, Gibson, Gilbert, Green, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Leary, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Proffit, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Snipes, Thompson, Vestal, Welch and Williams of Harnett—41.

Those who voted in the negative were,

Messrs. Ames, Carey, Cawthorn, Crawford, Eagles, Forkner, French, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Laflin, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Proctor, Ragland, Renfrow, Robbins, Sinclair, Waldrop, White and Wilson—26.

Mr. Harris, of Wake, moved to postpone the bill until the committee of investigation of alleged frauds shall have reported.

Mr. Crawford moved to lay the bill on the table.

On this motion,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Carey, Cherry, Crawford, Gahagan, Graham, Gunter, Hayes, Laflin, McCanless, Moore of Chowan, Morrill, Morris, Proctor, Renfrow, Sinclair, Simonds, Waldrop and White—19.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Banner, Barnett, Cawthorn, Clayton, Dixon, Durham, Ellis, Ferebee, Forkner, Gibson, Gilbert, Green, Harris of Franklin, Harris of Wake, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Humphries, Jarvis, Justice of Rutherford, Kelly of Davie, Leary, Mayo, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Pou, Proffitt, Ragland, Reynolds, Shaver, Siegrist, Smith of Alleghany, Sykes, Thompson, Vestal, Welch, Williams of Harnett and Wilson—47.

On motion of Mr. Proctor,

The House adjourned to meet again at ten o'clock, Wednesday.

WEDNESDAY, FEBRUARY 9th, 1870.

The House met pursuant to adjournment,

Mr. Pou in the Chair.

Prayer by Rev. Mr. Shaver, of the House.

Mr. Clayton asked for and obtained leave to record his vote in the affirmative on the motion to suspend the rules (yesterday) for the purpose of taking up a resolution on adjournment.

Leave of absence was granted Mr. Williams, of Sampson,

for one week; to Mr. Cherry indefinitely, on account of illness.

Mr. Ames, from the Committee on Internal Improvements, reported

A bill to consolidate the Atlantic and North Carolina and the North Carolina Railroad Companies, without recommendation;

A bill to amend an act to establish a Turnpike Road from Marion, in McDowell, to Asheville, in Buncombe county, favorably, and

A bill to amend the charter of the Little River Turnpike Company, favorably.

Mr. French, from the Committee on Finance, reported

A Senate bill in aid of an investigation ordered by the Senate into the affairs of certain Railroad bonds, unfavorably.

Mr. Painter introduced

A bill in relation to Indian affairs.

Ordered printed and referred to the Committee on Propositions and Grievances.

Mr. Moore, of Alamance, introduced

A bill to make a portion of Haw river a lawful fence.

Laid over.

Mr. French introduced

A bill defining the powers and duties of Constables in certain cases.

Laid over.

Leave of absence was granted Messrs. Ferebee and Humphries for one week from Friday next.

A Senate bill to repeal an act to protect sheriffs in the sale of land for taxes, was

Referred to the Judiciary Committee, with instructions to report on Thursday.

Mr. Durham introduced

A bill in favor of the children of Lee M. McAfee and Adelaide W. McAfee.

Passed second and 3rd readings, under suspension of the rules.

Mr. Dixon, from the Committee on Claims, reported

A petition in favor of R. S. Tucker, with a resolution, favorably;

A petition in favor of G. B. Willis, asking to be discharged from its further consideration;

A resolution directing the Public Treasurer to refund to Henderson and Ennis, the sum of $70, favorably, and

A resolution in favor of B. P. Williamson, favorably.

The unfinished business of the previous day was taken up, it being,

A Senate bill to abolish the office of State Printer.

Mr. Downing moved to postpone the bill until a bill to consolidate the Atlantic and North Carolina and the North Carolina Railroads had been disposed of.

On this motion,

Mr. Downing called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affimative were,

Messrs. Ames, Banner, Bowman, Carson, Carey, Crawford, Dixon, Downing, Eagles, French, Graham, Gunter, Harris of Wake, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Long of Richmond, Mayo, Moore of Chowan, Morrill, Morris, Pearson, Proctor, Ragland, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Snipes, Stanton, Stevens, Vest, White, Wilkie and Wilson—37.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Blair, Boddie, Cawthorn, Clayton, Durham, Ellis, Farrow, Ferebee, Forkner, Gatling, Gibson, Gilbert, Green, Hawkins, Hayes, High, Hodgin, Hodnett, Humphries, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Leary, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Shaver, Siegrist,

Smith of Alleghany, Smith of Wayne, Sweat, Thompson, Vestal, Waldrop and Williams of Harnett—42.

By leave,

Mr. Barnett, from the Committee on Corporations, reported

A bill to amend the charter of the town of Edenton, asking to be discharged from its further consideration;

A bill to incorporate the Bank of Tarboro', favorably; and

A bill to incorporate the Scotch Fair, of Richmond county, asking to be discharged from its further consideration.

By leave,

Mr. Stevens introduced

A bill granting the consent of the State to the purchase by by the United States of certain lands for the purpose of erecting thereon certain buildings in the city of Newbern; and

A bill to prohibit the sale of intoxicating liquors within three miles of Merry Oaks, in Chatham county.

Laid over.

Consideration of the unfinished business was then resumed.

The question recurring on the motion made by Mr. Harris, of Wake, to postpone until the Committee of Investigation on State Printing had reported,

Mr. French moved to amend the motion, by making the bill special for Friday next, at eleven o'clock.

The amendment was accepted, and

The motion prevailed.

Mr. Ferebee introduced

A bill to prevent the sale of spirituous liquors within five miles of Wake Forest College.

Referred to the Committee on Propositions and Grievances.

A bill to consolidate the Atlantic and North Carolina and the North Carolina Railroads was taken up,.

The question being on the amendment offered by Mr. Seymour, to section first of the bill.

Mr. Hodnett moved to indefinitely postpone the bill.

Mr. Seymour moved to lay this motion on the table.

On this motion,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Carson, Crawford, Davis, Dixon, Eagles, Farrow, Franklin, French, Gilbert, Green, Harris of Franklin, Hicks, High, Ingram, Justus of Henderson, Justice of Rutherford, Kinney, McCanless, Moore of Chowan, Morris, Pearson, Peck, Proctor, Robbins, Reynolds, Seymour, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Thompson, Waldrop, Welch, White, Wilkie and Wilson—37.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnett, Blair, Boddie, Bowman, Cawthorn, Clayton, Downing, Durham, Ellis, Ferebee, Forkner, Foster, Gatling, Gibson, Graham, Gunter, Hawkins, Hayes, Hinnant, Hodgin, Hodnett, Horney, Kelly of Davie, Kelly of Moore, Leary, Long of Richmond, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Price, Ragland, Renfrow, Robinson, Shaver, Siegrist, Sinclair, Smith of Alleghany, Vestal, Vest and Williams of Harnett—47.

Mr. Sinclair moved to reconsider the vote just taken.

Mr. Leary moved to lay this motion on the table.

On this motion,

Mr. Welch called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Blair, Boddie, Bowman, Carson, Carey, Cawthown, Clayton, Downing, Durham, Ellis, Ferebee, Forkner, Gatling, Gibson, Graham, Gunter, Hawkins, Hinnant, Hodgin, Hodnett, Horney, Humphries, Kelly of Davie, Kelly of Moore, Leary, Long of Richmond, McMillan, Mendenhall, Moore of Alamance, Nicholson, Pou, Price, Proffitt, Renfrow, Robbins, Robinson, Shaver, Siegrist,

Smith of Alleghany, Smith of Martin, Vestal, Vest and Williams of Harnett—47.

Those who voted in the negative were,

Messrs. Ames, Barnett, Crawford, Davis, Davidson, Dixon, Eagles, Farrow, Foster, Franklin, French, Gilbert, Green, Harris of Franklin, Hayes, Hicks, High, Ingram, Justus of Henderson, Justice of Rutherford, Kinney, Laflin, Mayo, McCanless, Moore of Chowan, Morris, Pearson, Peck, Proctor, Ragland, Reynolds, Seymour, Sinclair, Smith of Wayne, Snipes, Stanton, Stevens, Sykes, Thompson, Waldrop, Welch, White, Wilkie and Wilson—44.

The question recurring on the motion to indefinitely postpone,

On motion of Mr. French,

The House adjourned, to meet again at ten o'clock, Thursday.

THURSDAY, FEBRUARY 10th, 1870.

The House met pursuant to adjournment,

Mr. Pou in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Leave of absence was granted Mr. Downing till Wednesday next.

Leave of absence was granted Mr. Long, of Richmond, for ten days.

Mr. Sweat presented

A petition from a portion of the citizens of Fayetteville in relation to revenue.

Referred to the Committee on Finance.

Mr. Seymour, from the Committee on the Judiciary, reported

A bill to incorporate the Shepherd's Point Land Company, favorably;

A bill requiring owners of toll bridges and ferries to give bond, favorably, with an amendment;

A bill to authorize Robert M. Stafford, Sheriff of Guilford, to collect arrears of taxes, unfavorably;

A bill to extend the time for registering deeds, unfavorably;

A bill to equalize the expense of keeping up bridges in the several counties, unfavorably;

A bill to allow one Justice of the Peace for the town of Danbury, unfavorably;

A bill touching the Probate of Deeds of non-residents, unfavorably;

A bill concerning State prisoners, unfavorably;

A bill to require Justices of the Peace and Clerks of Townships to give bonds, unfavorably;

A bill to amend the bastardy laws of the State, unfavorably;

A bill to authorize sheriffs to advertise for subsistence contracts, unfavorably;

A resolution of instruction to the Judiciary Committee, unfavorably; and

A bill to compel sheriffs to pay over taxes, unfavorably.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A bill to equalize the expense of keeping up bridges in the several counties, favorably; and

A Senate bill to amend an act in relation to taking shad and herring in the waters of Neuse River and Contentnea Creek, favorably.

Mr. French, from the Committee on Finance, reported

A resolution in favor of E. F. Cox, late Sheriff of Lenoir county; and

A bill to allow John L. Wood, Sheriff of Pasquotank, to collect arrears of taxes, with

A substitute, entitled

A bill to allow the Sheriffs of the State to collect arrears of taxes for the years 1867, 1868 and 1869.

Laid over.

Mr. Moore, of Alamance, introduced

A bill to exempt physicians from working roads and serving in the militia.

Laid over.

Mr. Malone introduced

A bill to facilitate appeals in State cases.

Referred to the Committee on the Judiciary.

Mr. Robbins introduced

A bill to provide for the employment of convicts in the Capitol Square.

Laid over.

Mr. Vest introduced

A bill in relation to the Salem Corporation Act.

Laid over.

A message was received from the Senate transmitting

Amendments to a resolution in relation to the tariff on Rice and Peanuts.

The amendments were concurred in.

The unfinished business of the previous day was taken up, it being

A bill to consolidate the Atlantic and North Carolina and the North Carolina Railroads.

The question recurring on the motion (by Mr. Hodnett) to indefinitely postpone the bill,

Mr. Hodnett called the previous question.

The question being "Shall the main question be now put?"

The vote was declared in the affirmative.

The question recurring on the motion to indefinitely postpone,

Mr. Hodnett called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Ashworth, Blair, Boddie, Bowman, Carson, Carey, Cawthorn, Clayton, Davidson, Downing, Ellis, Ferebee, Forkner, Gatling, Gibson, Graham, Gunter, Harris

of Wake, Hawkins, Hinnant, Hodgin, Hodnett, Horney, Humphries, Jarvis, Kelly of Davie, Kelly of Moore, Leary, Long of Richmond, Mendenhall, Moore of Alamance, Morris, Nicholson, Pou, Proctor, Renfrow, Robbins, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Sykes, Vestal, Vest and Whitley—48.

Those who voted in the negative were,

Messrs. Armstrong, Banner, Barnett, Crawford, Davis, Dixon, Durham, Eagles, Farrow, Franklin, Gilbert, Green, Harris of Franklin, Hayes, Hicks, High, Ingram, Justice of Rutherford, Laflin, Malone, Mayo, McCanless, McMillan, Painter, Pearson, Peck, Proffitt, Ragland, Reynolds, Seymour, Sinclair, Simonds, Smith of Wayne, Stanton, Stevens, Sweat, Thompson, Welch, White, Williams of Harnett and Wilson—41.

Mr. Downing moved to reconsider the vote just taken.

Mr. Seymour moved to adjourn.

On this motion,

Mr. Gunter called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Banner, Crawford, Davis, Dixon, Farrow, Franklin, Gilbert, Green, Harris of Franklin, Hayes, High, Malone, McCanless, McMillan, Morris, Pearson, Peck, Ragland, Reynolds, Seymour, Sinclair, Simonds, Smith of Wayne, Stanton, Sweat, Thompson and Whitley—30.

Those who voted in the negative were,

Messrs. Ashworth, Barnett, Blair, Boddie, Bowman, Carson, Carey, Cawthorn, Clayton, Downing, Durham, Eagles, Ellis, Ferebee, Forkner, Gatling, Gibson, Graham, Gunter, Harris of Wake, Hawkins, Hicks, Hinnant, Hodgin, Hodnett, Humphries, Jarvis, Justus of Henderson, Kelly of Davie, Leary, Long of Richmond, Mayo, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Proctor, Renfrow, Robbins, Robinson,

Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Vestal, Vest, Waldrop, Welch, White and Wilson—51.

The question recurring on the motion to re-consider the vote by which the bill was indefinitely postponed,

Mr. Leary moved to adjourn.

On this motion,

Mr. Harris, of Wake, called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Clayton, Crawford, Davidson, Dixon, Downing, Durham, Eagles, Ferebee, Green, Hicks, High, Humphries, Jarvis, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Laflin, Leary, McCanless, McMillan, Painter, Proctor, Ragland, Renfrow, Sinclair, Smith of Alleghany, Sweat, Thompson, Vest, Welch and Williams of Harnett—33.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Blair, Boddie, Bowman, Carson, Carey, Cawthorn, Ellis, Forkner, Gatling, Gibson, Graham, Gunter, Harris of Wake, Hawkins, Hayes, Hinnant, Hodgin, Hodnett, Horney, Ingram, Justus of Henderson, Kinney, Malone, Mendenhall, Morrill, Morris, Nicholson, Pearson, Pou, Reynolds, Shaver, Siegrist, Smith of Wayne, Stanton, Stevens, White, Whitley and Wilson—40.

Mr. Harris, of Wake, moved that when the House adjourn it do so to meet again at half past seven o'clock, P. M.

On this motion,

Mr. Harris, of Wake, called for the yeas and nays.

The call being sustained,

The motion failed for want of a quorum, as follows:

Those who voted in the affirmative were,

Messrs. Ashworth, Boddie, Bowman, Cawthorn, Davis, Ellis, Forkner, Gibson, Graham, Gunter, Harris of Wake, Hawkins, Hayes, Hicks, Hilliard, Hinnant, Hodgin, Hodnett, Horney, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Long

of Richmond, Malone, Mayo, McCanless, Mendenhall, Morrill, Nicholson, Pearson, Pou, Ragland, Robinson, Reynolds, Shaver, Siegrist, Smith of Alleghany, Stanton, Stevens, Thompson, Vest, Waldrop, Welch, White, Whitley and Williams of Harnett—47.

Those who voted in the negative were,

Messrs. Ames, Clayton, Crawford, Downing Leary, Painter, Smith of Wayne, Sweat and Wilson—9.

On motion of Mr. Sweat,

The House adjourned to meet again at ten o'clock, Friday.

FRIDAY, February 11th, 1870.

The House met pursuant to adjournment,

Mr. French in the Chair.

Prayer by Rev. Mr. Long, of the House.

Leave of absence was granted Mr. Vest for one day; to Mr. Mendenhall and Mr. Hodgins from Saturday until Tuesday following; to Mr. Cawthorn from Saturday until Wednesday following.

Mr. Dixon, from the Committee on Claims, reported

A resolution to refund to J. C. Cline taxes overpaid in the Treasury for the year 1869, asking to be discharged from its further consideration.

Mr. Malone introduced

A resolution requesting a report from the chairman of the Committee of the Whole.

Laid over.

Subsequently adopted, under suspension of the rules.

A bill in relation to the act incorporating the town of Salem

Passed its second and third readings.

By leave,

Mr. Harris, of Wake, withdrew

A bill to authorize the Commissioners of Wake county to levy a special tax.

A Senate bill to legalize certain official acts of the chairmen of the late County Courts

Passed its second and third readings.

Mr. Painter introduced

A resolution to hold night sessions from and after the 12th instant.

Laid over.

Mr. Snipes introduced

A bill appointing commissioners to lay off and establish the dividing line between the counties of Hertford and Northampton.

Referred to the Committee on Counties and Townships.

Mr. Vest introduced

A bill to release Forsythe county of fifty thousand dollars subscription of railroad stock.

Laid over.

Mr. Malone introduced

A bill to incorporate the American Industrial Agency.

Referred to the Committee on Corporations.

The unfinished business of the previous day was taken up, it being

A motion to reconsider the vote by which a bill to consolidate the Atlantic and North Carolina and the North Carolina railroads was indefinitely postponed.

Mr. Gunter moved to lay the motion to reconsider on the table.

On this motion,

Mr. Cawthorn called for the yeas and nays.

The call being sustained,

The motion was rejected, as follows:

Those who voted in the affirmative were,

Messrs. Ashworth, Cawthorn, Forkner, Gibson, Gunter,

Hodgin, Horney, Jarvis, Kelly of Moore, Long of Chatham, Siegrist, Smith of Alleghany and Smith of Martin—13.

Those who voted in the negative were,

Messrs. Ames, Argo, Armstrong, Banner, Barnett, Boddie, Bowman, Carson, Clayton, Davidson, Dixon, Downing, Durham, Ellis, Franklin, French, Gilbert, Graham, Green, Harris of Wake, Hayes, High, Ingram, Kinney, Leary, Malone, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Morrill, Morris, Nicholson, Painter, Pearson, Pou, Price, Proffitt, Robbins, Robinson, Reynolds, Seymour, Shaver, Sinclair, Simonds, Smith of Wayne, Snipes, Stanton, Stevens, Sykes, Thompson, Vestal, Vest, Welch, White, Whitley, Williams of Harnett and Wilson—59.

The motion to reconsider then prevailed.

Mr. Malone offered a substitute for the whole.

Mr. Argo offered an amendment in the shape of a substitute for sub-division first, section 2d, of the same.

Mr. Gunter moved to lay the subject on the table.

On this motion,

Mr. Painter called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Blair, Carson, Cawthorn, Durham, Ellis, Forkner, Gatling, Gibson, Gunter, Hicks, Hodgin, Hodnett, Jarvis, Kelly of Moore, Leary, Long of Chatham, Moore of Alamance, Painter, Proctor, Proffitt, Renfrow, Robbins, Robinson, Siegrist, Smith of Alleghany, Smith of Martin, Sweat, Vestal and Welch—29.

Those who voted in the negative were,

Messrs. Ames, Argo, Armstrong, Banner, Barnett, Boddie, Carey, Clayton, Davis, Davidson, Dixon, Foster, Franklin, French, Gilbert, Graham, Green, Harris of Franklin, Harris of Wake, Hayes, Ingram, Justus of Henderson, Kinney, Malone, Mayo, McCanless, McMillan, Mendenhall, Morrill, Morris, Nicholson, Pearson, Pou, Price, Reynolds, Seymour, Shaver,

Sinclair, Simonds, Smith of Wayne, Snipes, Stanton, Stevens, Sykes, Thompson, Vest, White, Whitley, Williams of Harnett and Wilson—50.

Mr. Pou moved to refer the whole matter to the Committee on the Judiciary, and make it special for Wednesday next at eleven o'clock.

The motion prevailed.

A Senate bill to re-endow the University of the State was made special for Thursday next at eleven o'clock.

A Senate bill to abolish the office of State Printer was taken up,

The question being on the passage of the bill on its second reading.

Mr. Painter called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Blair, Boddie, Bowman, Carson, Cawthorn, Clayton, Davis, Davidson, Durham, Ellis, Forkner, Gatling, Gibson, Gilbert, Green, Harris of Franklin, Harris of Wake, Hayes, Hicks, High, Hinnant, Hodgin, Hodnett, Ingram, Jarvis, Kinney, Leary, Malone, McMillan, Mendenhall, Moore of Alamance, Morris, Nicholson, Painter, Pearson, Pou, Proffitt, Ragland, Renfrow, Robinson, Seymour, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sweat, Sykes, Thompson, Vestal, Welch, Whitley, Williams of Harnett and Wilson—60.

Those who voted in the negative were,

Messrs. Ames, Carey, Dixon, Downing, French, Gunter, Kelly of Moore, Long of Chatham, Mayo, McCanless, Morrill, Peck, Proctor, Sinclair and Simonds—15.

Mr. Mendenhall moved to suspend the rules for the purpose of placing the bill on its final reading.

On this motion,

Mr. Downing called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Blair, Boddie, Bowman, Carey, Clayton, Davis, Davidson, Durham, Ellis, Forkner, Gibson, Gilbert, Green, Harris of Franklin, Harris of Wake, Hicks, High, Hinnant, Hodgin, Hodnett, Ingram, Jarvis, Kinney, Leary, Malone, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Pou, Proffitt, Ragland, Renfrow, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Welch, White, Whitley, Williams of Harnett and Wilson—55.

Those who voted in the negative were,

Messrs. Ames, Carson, Crawford, Dixon, Downing, French, Gunter, Hoffman, Kelly of Moore, Long of Chatham, Mayo, McCanless, Morrill, Peck, Proctor, Seymour, Sinclair and Simonds—18.

The question then being on the passage of the bill on its final reading,

Mr. Morris called for the yeas and nays.

The call being sustained,

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Blair, Boddie, Bowman, Carson, Carey, Clayton, Davis, Davidson, Durham, Ellis, Forkner, Gatling, Gibson, Gilbert, Green, Harris of Franklin, Harris of Wake, Hayes, Hicks, High, Hinnant, Hodgin, Hodnett, Ingram, Jarvis, Kinney, Leary, Malone, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Pou, Proffitt, Ragland, Renfrow, Robinson, Seymour, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Welch, White, Whitley, Williams of Harnett and Wilson—61.

Those who voted in the negative were,

Messrs. Ames, Crawford, Dixon, Foster, French, Gunter,

Hoffman, Kelly of Moore, Long of Chatham, Mayo, McCanless, Morrill, Morris, Peck, Proctor, Sinclair and Simonds—17.

Mr. Moore, of Chowan, from the Committee on Finance, reported

A bill to amend an act to provide for the collection of taxes, favorably;

A bill to regulate tax in certain cases, unfavorably;

A bill to sell the State's interest in the North Carolina and the Atlantic and North Carolina railroads, unfavorably;

A bill for the relief of the Sheriff of Gates county;

A resolution in regard to refunding special taxes, unfavorably;

A bill authorizing the Commissioners of Yancey county to levy a special tax, favorably; and

A bill to make Dan river a lawful fence, favorably.

Mr. Malone moved to suspend the rules for the purpose of taking up a Senate bill in aid of investigation ordered by the Senate into the affairs of certain railroad bonds.

On this motion,

Mr. Malone called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnett, Blair, Boddie, Bowman, Carson, Carey, Clayton, Davis, Durham, Ellis, Forkner, Foster, Franklin, Gatling, Gibson, Gilbert, Graham, Green, Gunter, Harris of Franklin, Harris of Wake, Hayes, Hicks, High, Hinnant, Hodgin, Hodnett, Hoffman, Ingram, Jarvis, Justus of Henderson, Kelly of Moore, Kinney, Leary, Long of Chatham, Malone, Mayo, McCanless, Mendenhall, Moore of Alamance, Morrill, Nicholson, Pearson, Pou, Price, Proffitt, Reynolds, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Stanton, Stevens, Sweat, Thompson, Vestal, Welch, Whitley, Williams of Harnett and Wilson—64.

The question being on the passage of the bill on its second reading,

Mr. Harris, of Wake, moved to amend by inserting the words "that said committee be requested to report by the 10th of March."

Mr. Hayes offered a substitute for the amendment, viz: The said committee shall make a report to the General Assembly, if in session, on or before the 15th day of March, 1870; and if the General Assembly be not in session, then the said committee shall report to the Governor and his Council at any time before the 16th day of March, 1870."

Pending which,

On motion of Mr. Graham,

The House adjourned to meet again at ten o'clock, Saturday.

SATURDAY, February 12th, 1870.

The House met pursuant to adjournment,

Mr. Malone in the Chair.

Prayer by Rev. Mr. Smith, of the House.

Mr. Reynolds asked for and obtained leave to record his vote in the affirmative on the final vote on the Senate bill to abolish the office of State Printer.

Brief leaves of absence were granted Messrs. Gunter, Ames, Sinclair, Ragland, Harris of Wake and Kelly of Moore.

Mr. Argo introduced

A bill to authorize an election of municipal officers for the town of Chapel Hill.

Laid over.

Mr. Pou introduced

A bill to amend chapter 177, of the laws of 1868 and 1869, and

A bill for the relief of holders of certain bonds purportin to have been issued by the State.

Referred to the Judiciary Committee.

Mr. Pou presented

A memorial from a portion of the citizens of Johnsto county in relation to obstructions in creeks.

Referred to the Committee on Propositions and Grivance

Mr. Dixon introduced

A bill to incorporate the town of Snow Hill, in Gree county.

Laid over.

Mr. High introduced

A bill to authorize the Commissioners of Columbus coun to correct their report.

Laid over.

Mr. Morris introduced

A bill to prevent Constables from keeping grog-shops.

Laid over.

Mr. Sykes introduced

A bill to incorporate the Nag's Head Hotel Company.

Referred to the Committee on Corporations.

Mr. Gunter presented

A petition from a portion of the citizens of Chatham coun praying the repeal of certain portions ot the revenue bill.

Referred to the Finance Committee.

The unfinished business of the previous day was taken u it being

A Senate bill in aid of an investigation ordered by th Senate into the affairs of certain railroad bonds.

The question being on the amendment offered by Mr. Hayw as a substitute for the amendment offered by Mr. Harris, Wake,

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Carey, Hayes, Reynolds and White—4.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Blair, Boddie, Bowman, Carson, Clayton, Crawford, Davis, Davidson, Dixon, Downing, Durham, Ellis, Forkner, Gibson, Gilbert, Graham, Green, Gunter, Harris of Franklin, Harris of Wake, Hicks, High, Hodnett, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Malone, Mayo, McCanless, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Ragland, Renfrow, Robbins, Seymour, Shaver, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sykes, Thompson, Vestal, Welch, Whitley, Wilkie, Williams of Harnett and Wilson—64.

The question then recurring on the amendment offered by Mr. Harris, of Wake,

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Blair, Carey, Crawford, Dixon, Downing, Forkner, Franklin, Graham, Gunter, Harris of Wake, Hoffman, Horney, Kelly of Moore, Kinney, Long of Chatham, Mayo, McCanless, Morrill, Ragland, Robbins, Reynolds, Seymour, Sinclair, Stevens, Sykes, White and Wilson—28.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Boddie, Bowman, Carson, Clayton, Davis, Davidson, Durham, Ellis, Gibson, Gilbert, Green, Harris of Franklin, Hayes, Hicks, High, Hodnett, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Renfrow, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Thompson, Vestal, Welch, Whitley, Wilkie and Williams of Harnett—46.

Notice having been given,

Mr. French offered the following amendment, to follo section first, viz:

"That the said commission shall be increased by the add tion of three citizens, to be appointed by the Speaker of th House of Representatives."

The Speaker *pro tem.* (Mr. Malone) ruled this amendme out of order, as not being germane to the bill.

Mr. French appealed from the decision of the Chair.

The question being "Shall the decision of the Chair b sustained?"

Mr. Durham called for the yeas and nays.

The call being sustained,

The decision of the Chair was sustained by the followin vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Blair, Boddie, Bowma Carson, Carey, Clayton, Davis, Davidson, Durham, Elli Forkner, Gatling, Gibson, Green, Gunter, Harris of Frankli Harris of Wake, Hicks, High, Hodnett, Ingram, Jarvis, Justu of Henderson, Kelly of Davie, Kelly of Moore, Leary, Long Chatham, McCanless, McMillan, Moore of Alamance, Moo of Chowan, Nicholson, Painter, Pearson, Price, Raglan Robinson, Reynolds, Shaver, Siegrist, Smith of Allegha Smith of Wayne, Snipes, Thompson, Vestal, Welch, Whitle Williams of Harnett and Wilson—52.

Those who voted in the negative were,

Messrs. Ames, Crawford, Dixon, Downing, Foster, Frenc Graham, Kinney, Mayo, Morrill, Pou, Renfrow, Robbin Seymour, Sinclair, Stanton, Stevens, White and Wilkie—1

Mr. French offered the following as an amendment to th bill, viz:

"That said Commission shall make a whole or partial repo to the General Assembly before the 15th day of March nex

d if the General Assembly be not then in session, to the perintendent of Public Works."

On the adoption of this amendment,
Mr. Pou called for the yeas and nays,
The call being sustained,
The amendment was rejected by the following vote:
Those who voted in the affirmative were,
Messrs. Ames, Carson, Carey, Crawford, Dixon, Downing, rkner, Foster, French, Graham, Gunter, Harris of Wake, ayes, Hoffman, Horney, Kinney, Leary, Mayo, McCanless, orrill, Morris, Price, Proctor, Ragland, Renfrow, Robbins, eynolds, Sinclair, Smith of Martin, Snipes, Stanton, Stevens, veat, White, Wilkie and Wilson—36.
Those who voted in the negative were,
Messrs. Argo, Armstrong, Ashworth, Blair, Boddie, Bowan, Clayton, Davis, Davidson, Durham, Ellis, Gatling, Gibn, Green, Harris of Franklin, Hicks, High, Hodnett, Ingram, rvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, ng of Chatham, McMillan, Moore of Alamance, Nicholson, inter, Pearson, Pou, Proffitt, Robinson, Shaver, Siegrist, ith of Alleghany, Smith of Wayne, Thompson, Vestal, elch, Whitley and Williams of Harnett—41.
Mr. French moved to amend section four by inserting after e word "dollars," the words "in the aggregate."
On the adoption of this amendment,
Mr. Pou called for the yeas and nays.
The call being sustained,
The amendment was rejected by the following vote:
Those who voted in the affirmative were,
Messrs. Ames, Ashworth, Carson, Carey, Dixon, Downing, rkner, Foster, French, Graham, Kelly of Moore, Kinney, ayo, McCanless, Morrill, Morris, Proctor, Ragland, Renfrow, bbins, Reynolds, Snipes, Stevens, Sweat, Sykes, White and ilson—27.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Banner, Blair, Boddie, Bowman Clayton, Davidson, Durham, Ellis, Gatling, Gibson, Green Gunter, Harris of Franklin, Harris of Wake, Hicks, High Hodnett, Ingram, Jarvis, Justus of Henderson, Kelly of Davie Leary, Long of Chatham, McMillan, Moore of Alamance Nicholson, Painter, Pou, Proffitt, Robinson, Shaver, Siegrist Smith of Alleghany, Smith of Wayne, Stanton, Thompson Vestal, Welch, Whitley and Williams of Harnett—42.

The question then being on the passage of the bill on it second reading,

Mr. Ames called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Blair Boddie, Bowman, Carson, Carey, Clayton, Crawford, Davis Davidson, Dixon, Durham, Ellis, Forkner, Foster, Gatling Gibson, Graham, Green, Gunter, Harris of Franklin, Harri Wake, Hayes, Hicks, High, Hodnett, Hoffman, Horney Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Kinney Leary, Long of Chatham, Malone, Mayo, McCanless, Moore of Alamance, Morris, Nicholson, Painter, Pearson, Pou, Price Proffitt, Ragland, Renfrow, Robbins, Robinson, Reynolds Seymour, Shaver, Siegrist, Smith of Alleghany, Smith o Martin, Smith of Wayne, Snipes, Stanton, Thompson, Vestal Welch, White, Whitley, Wilkie, Williams of Harnett and Wilson—71.

Those who voted in the negative were,

Messrs. French and Sweat—2.

The question then being on the passage of the bill on it final reading, (the rules having been suspended,)

Mr. Pou called for the yeas and nays.

The call being sustained,

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Blair, Boddie, Carson, Carey, Clayton, Crawford, Davis, Davidson, Dixon, Durham, Ellis, Forkner, Gatling, Gibson, Graham, Green, Gunter, Harris of Franklin, Harris of Wake, Hayes, Hicks, High, Hodnett, Hoffman, Horney, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Malone, Mayo, McCanless, McMillan, Moore of Alamance, Morrill, Morris, Nicholson, Painter, Pearson, Pou, Proffitt, Ragland, Renfrow, Robbins, Robinson, Reynolds, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sykes, Thompson, Vestal, Welch, White, Whitley, Wilkie, Williams of Harnett and Wilson—70.

Mr. Sweat voted in the negative.

Mr. Sinclair, from the Committee on Private Bills, reported

A bill to amend an act amendatory of an act concerning inspectors for the city of Wilmington, ratified July 27, 1868.

Made special for Friday next, at eleven o'clock.

Mr. Whitley, from the Committee on Corporations, reported

A bill to incorporate the Cape Fear Building Association, favorably;

A bill to incorporate the Mechanics' Building and Loan Association, favorably; and

A bill to incorporate the Wilmington Building Association, favorably.

Mr. Ames, from the Committee on Internal Improvements, reported

A Senate bill authorizing the Superintendent of Public Works to sell the State's interest in the Fayetteville and Warsaw Plank Road Company, favorably.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A petition from a portion of the citizens of Davidson county in favor of Alexander Windford and Francis Barrow, asking to be discharged from its further consideration.

A bill to incorporate the Roanoke Missionary Baptist Relief Association

Passed its second and third readings.

A bill to incorporate the Cape Fear Building Association

Passed its second and third readings.

A message was received from the Senate, transmitting for consideration of the House,

A bill to incorporate the Yanceyville and Danville Railroad Company.

Referred to the Committee on Internal Improvements.

A bill to amend chapter 279, of the laws of 1868 and 1869;

A bill in relation to false pretenses;

A bill to legalize and make valid an election held in the town of Pittsboro';

A resolution in favor of Tucker & Co.;

A bill authorizing the formation of the Greensboro' Building and Loan Association;

A bill to incorporate the Rescue Steam Fire Engine Company, No. 1, of Raleigh;

A bill concerning townships in the county of Pitt;

A bill to amend section 7, chapter 157, of an act respecting County Treasurers;

A bill to incorporate the Trustees of the Greensboro' Female College;

A bill to require the return, by Justices of the Peace, of all criminal actions disposed of by them, to the Clerk of the Superior Court;

A bill to authorize the Commissioners of Hyde and Beaufort counties to levy a special tax;

A bill to protect the interest of the State as a stockholder in the North Carolina Railroad company; and

A bill to authorizing C. Hunter, guardian, to make title to real estate.

The bills were appropriately referred.

On motion of Mr. Proctor,

The House adjourned, to meet again at ten o'clock, Monday.

MONDAY, February 14th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Atkinson, of the City.

Leave of absence was granted Mr. Proctor till Monday next.

Mr. Vestal introduced

A resolution to adjourn *sine die* on the 28th instant.

Laid over.

Mr. Reynolds introduced

A resolution to require the Committee on investigation of alleged frauds in certain Railroad bonds, to report in full on or before the first of March, 1870.

Laid over.

Mr. Hicks introduced

A bill to authorize the Sheriff of Cherokee county to make title to W. A. Strange, of certain tracts of land.

Referred to the Judiciary Committee.

Mr. Foster introduced

A bill in regard to common carriers of freight.

Referred to the Committee on Propositions and Grievances.

Mr. Malone introduced

A bill to require defendants to file pleadings on oath in all cases in which the execution of any written instrument is denied.

Referred to the Judiciary Committee.

A bill to authorize the Commissioners of Nash county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Boddie, Bowman, Carson, Carey, Clayton, Davidson, Dixon, Durham, Forkner, Foster, French, Gibson, Gilbert, Graham, Green, Grier, Harris of Franklin, Hilliard, Hoffman, Hudgings, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Laflin,

Leary, Long of Chatham, McCanless, McMillan, Morrill, Morris, Painter, Price, Proffitt, Renfrow, Robbins, Reynolds, Sinclair, Simonds, Smith of Martin, Stanton, Sweat, Vest, Welch, White, Whitley, Wilkie and Wilson—52.

Those who voted in the negative were,

Messrs. Gatling, Gunter, Hicks, Hinnant, Hodnett, Horney, Nicholson, Pearson, Pou, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Thompson, Vestal and Williams of Harnett—16.

Mr. Welch moved a suspension of the rules for the purpose of taking up

A resolution expressing the sense of the General Assembly that the term of the present members shall expire on the first Thursday of August, 1870.

On this motion,

Mr. Welch called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Blair, Boddie, Bowman, Clayton, Durham, Ellis, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hicks, High, Hinnant, Hodnett, Jarvis, Kelly of Davie, Kelly of Moore, Long of Chatham, Malone, McMillan, Nicholson, Painter, Pou, Proffitt, Reynolds, Shaver, Smith of Alleghany, Smith of Wayne, Stanton, Thompson, Vestal, Welch, White, Whitley, Wilkie and Williams of Harnett—41.

Those who voted in the negative were,

Messsrs. Carson, Dixon, Forkner, French, Graham, Hilliard, Hoffman, Hudgings, Ingram, Justus of Henderson, Kinney, Laflin, Mayo, Morrill, Morris, Pearson, Price, Renfrow, Robbins, Sinclair, Simonds, Smith of Martin, Sweat, Sykes, Vest and Wilson—26.

The question being on the adoption of the resolution,

Mr. Welch called the previous question.

The question being "Shall the main question be now put?"

Mr. Welch called for the yeas and nays.

The call being sustained,

The vote was decided in the affirmative as follows:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Blair, Boddie, Bowman, Clayton, Davidson, Durham, Ellis, Gatling, Gibson, Green, Grier, Harris of Franklin, Hicks, High, Hinnant, Hodnett, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Malone, McMillan, Nicholson, Painter, Proffitt, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Vestal, Welch, White, Whitley and Williams of Harnett—37.

Those who voted in the negative were,

Messrs. Carson, Carey, Dixon, Forkner, French, Graham, Gunter, Hoffman, Hudgings, Ingram, Kinney, Laflin, Long of Chatham, Mayo, Morris, Pearson, Pou, Price, Renfrow, Robbins, Seymour, Siegrist, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Sweat, Sykes, Vest, Wilkie and Wilson—32.

The question recurring on the adoption of the resolution,

Mr. Welch called for the yeas and nays.

The call being sustained,

The resolution failed for want of a quorum, as follows:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Blair, Boddie, Bowman, Clayton, Davis, Davidson, Dixon, Durham, Ellis, Foster, French, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hicks, High, Hinnant, Hodnett, Horney, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Long of Chatham, Malone, McMillan, Nicholson, Painter, Pou, Proffitt, Seymour, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Thompson, Vestal, Welch, White, Whitley and Williams of Harnett—51.

Mr. Vest voted in the negative.

Mr. Malone moved a call of the House.

The motion prevailed, and

The roll having been called,

The following named gentlemen answered to their names:

Messrs. Argo, Armstrong, Ashworth, Banner, Blair, Boddie, Bowman, Carson, Carey, Clayton, Davis, Davidson, Dixon, Durham, Ellis, Forkner, Foster, French, Gatling, Gibson, Graham, Green, Grier, Gunter, Harris of Franklin, Hicks, High, Hinnant, Hodnett, Horney, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Malone, Mayo, McMillan, Morrill, Morris, Nicholson, Painter, Pou, Price, Proffitt, Renfrow, Reynolds, Seymour, Shaver, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Vest, Welch, White, Whitley, Wilkie, Williams of Harnett and Wilson—71.

Mr. Welch moved to dispense with further proceedings under the call of the House.

The motion prevailed.

Mr. Welch moved that the clerk record the names of members who did not vote on the motion to adopt the resolution and who answered to their names when the roll was called.

Mr. Sinclair moved to lay this motion on the table.

On this motion,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Carson, Carey, Dixon, Forkner, Foster, French, Gilbert, Hoffman, Hudgings, Kinney, Laflin, Mayo, Moore of Chowan, Morrill, Morris, Peck, Pou, Renfrow, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Sweat, Sykes, Vest, White and Wilson—32.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Bowman, Clayton, Davis, Durham, Ellis, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hicks, High, Hinnant, Hodnett, Kelly of Davie, Kelly of Moore, Long of Chatham, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Proffitt, Shaver, Siegrist,

Smith of Alleghany, Smith of Wayne, Thompson, Vestal, Welch, Whitley and Williams of Harnett—35.

The question recurring on the motion of Mr. Welch,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Banner, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hicks, High, Hodnett, Ingram, Kelly of Davie, Kelly of Moore, Malone, McMillan, Nicholson, Painter, Proffitt, Shaver, Smith of Alleghany, Smith of Wayne, Thompson, Vestal, Welch, Whitley and Williams of Harnett —34.

Those who voted in the negative were,

Messrs. Ashworth, Blair, Bowman, Carson, Carey, Crawford, Dixon, Forkner, Foster, French, Gilbert, Graham, Harris of Wake, Hilliard, Hinnant, Hoffman, Horney, Hudgings, Justus of Henderson, Kinney, Laflin, Long of Chatham, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Pou, Price, Renfrow, Robbins, Reynolds, Seymour, Siegrist, Sinclair, Simonds, Snipes, Stanton, Stevens, Sweat, Sykes, Vest, White, Wilkie and Wilson—46.

A bill to amend chapter 184 of the laws of 1868 and 1869, in relation to examiners,

Passed its final reading.

A bill to authorize the Commissioners of Ashe county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Boddie, Bowman, Carson, Carey, Clayton, Crawford, Davidson, Dixon, Forkner, French, Graham, Green, Grier, High, Hoffman, Hudgings, Ingram, Kelly of Moore, Kinney, Laflin, Long of Chatham, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Price,

Robbins, Reynolds, Seymour, Sinclair, Stevens, Vest, Welch, White, Whitley, Wilkie and Wilson—41.

Those who voted in the negative were,

Messrs. Blair, Durham, Gatling, Gibson, Gunter, Hicks, Hinnant, Hodnett, Horney, Kelly of Davie, McMillan, Nicholson, Painter, Pou, Renfrow, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Stanton, Vestal and Williams of Harnett—22.

Leave of absence was granted Mr. Peck for ten days; to Mr. Robbins for two weeks; to Mr. Moore, of Alamance, until Thursday next.

On motion of Mr. Moore, of Chowan,

The rules were suspended, and

A Senate bill to protect the interest of the State as a stockholder in the North Carolina Railroad Company was taken up.

Mr. Jarvis offered the following as a proviso to the bill:

"*Provided*, That the said surplus shall be applied exclusively to paying the interest of the bonds of the State issued for the construction of said road."

Mr. Moore, of Chowan, called the previous question.

The question being "Shall the main question be now put?"

The vote was declared in the affirmative.

The question then being on the amendment offered by Mr. Jarvis,

The same was rejected.

The question then being on the passage of the bill on its second reading,

Mr. Durham called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Blair, Carson, Carey, Dixon, Franklin, French, Gilbert, Graham, High, Hinnant, Hodnett, Horney, Hudgings, Ingram, Justus of Henderson,

Kelly of Moore, Kinney, Long of Chatham, Malone, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Proffitt, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Thompson, Vestal, Vest, Welch, White, Wilkie, Williams of Harnett and Wilson—47.

Those who voted in the negative were,

Messrs. Barnett, Boddie, Davis, Davidson, Durham, Forkner, Gatling, Gibson, Green, Gunter, Jarvis, Kelly of Davie, Nicholson, Shaver, Siegrist, Smith of Alleghany and Whitley—17.

The question then being on the passage of the bill on its final reading,

Mr. Durham offered the following as a *proviso* to the bill:

"*Provided*, That the dividends due the State shall be applied to the payment of the appropriation made to the Insane Asylum and the Institute for the Deaf and Dumb and Blind."

On the adoption of this amendment,

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Barnett, Boddie, Davis, Davidson, Durham, Ellis, Gatling, Gibson, Green, Grier, Gunter, Hicks, Kelly of Davie, Laflin, Leary, Malone, McMillan, Painter, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Stanton, Vestal, Welch, White, Whitley and Williams of Harnett—28.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Blair, Bowman, Carson, Carey, Clayton, Crawford, Dixon, Forkner, Franklin, Gilbert, Graham, Hilliard, High, Hodnett, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Kinnie, Long of Chatham, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Renfrow, Reynolds, Seymour, Sinclair, Simonds,

Smith of Martin, Snipes, Stevens, Sweat, Sykes, Vest, Wilkie and Wilson—41. 42

The bill then passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Blair, Carson, Carey, Clayton, Crawford, Dixon, Ellis, Forkner, Franklin, Gilbert, Graham, Harris of Wake, Hicks, Hilliard, High, Hodnett, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Long of Chatham, Malone, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Smith of Wayne, Snipes, Stevens, Stilley, Sweat, Sykes, Thompson, Vest, White, Wilkie and Wilson—50.

Those who voted in the negative were,

Messrs. Argo, Barnett, Boddie, Davis, Davidson, Durham, Gatling, Gibson, Green, Grier, Gunter, Jarvis, Kelly of Davie, Leary, Nicholson, Painter, Pou, Shaver, Siegrist, Smith of Alleghany, Stanton, Vestal, Welch, Whitley and Williams of Harnett—25.

On motion of Mr. Reynolds,

The rules were suspended, and

A resolution to require the committee on the investigation of certain railroad bonds to report in full on or before the first of March, 1870, was taken up.

The resolution passed its second reading, and was

Referred to the Judiciary Committee, and

Made special for Tuesday at 12 o'clock.

A bill to levy taxes for the benefit of the Insane Asylum, and the Institution for the Deaf and Dumb and the Blind, was taken up.

Mr. Durham moved to postpone the resolution till Wednesday next at 12 o'clock.

On this motion,

Mr. Moore, of Chowan, called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Gibson, Green, Grier, Gunter, Hicks, High, Hinnant, Kelly of Davie, Malone, McMillan, Nicholson, Painter, Pou, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Stanton, Thompson, Vestal, Welch, Whitley and Williams of Harnett—31.

Those who voted in the negative were,

Messrs. Ashworth, Banner, Barnett, Blair, Carson, Carey, Crawford, Dixon, Forkner, Franklin, Gilbert, Graham, Harris of Wake, Hoffman, Hudgings, Ingram, Kelly of Moore, Kinney, Leary, Long of Chatham, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Robbins, Seymour, Sinclair, Simonds, Snipes, Stilley, Vest, White, Wilkie and Wilson—36.

The bill then passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Barnett, Blair, Carson, Carey, Crawford, Dixon, Forkner, Franklin, French, Gilbert, Graham, Harris of Wake, Hilliard, High, Hoffman, Horney, Hudgings, Ingram, Kelly of Moore, Kinney, Laflin, Leary, Moore of Chowan, Morrill, Morris, Pearson, Robbins, Reynolds, Seymour, Sinclair, Simonds, Stevens, Vest, White, Wilkie and Wilson—38.

Those who voted in the negative were,

Messrs. Ashworth, Boddie, Bowman, Clayton, Davis, Davidson, Durham, Ellis, Foster, Gibson, Grier, Gunter, Hicks, Hinnant, Hodnett, Kelly of Davie, Long of Chatham, Malone, McCanless, McMillan, Nicholson, Painter, Pou, Proffitt, Shaver, Siegrist, Smith of Alleghany, Stanton, Thompson, Vestal, Welch, Whitley and Williams of Harnett—33.

A Senate bill authorizing the Commissioners of Orange county to issue bonds

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnett,

Boddie, Bowman, Carson, Clayton, Davis, Davidson, Dixon, Durham, Ellis, Forkner, Foster, Gibson, Gilbert, Graham, Green, Grier, Gunter, Harris of Franklin, Harris of Wake, Hicks, Hilliard, High, Hinnant, Hodnett, Hoffman, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Long of Chatham, Malone, McCanless, McMillan, Morris, Nicholson, Painter, Pearson, Pou, Proffitt, Robbins, Reynolds, Seymour, Shaver, Smith of Martin, Smith of Wayne, Stanton, Stevens, Thompson, Vestal, Vest, Welch, White, Whitley, Wilkie, Williams of Harnett and Wilson—63.

Mr. Blair voted in the negative.

Mr. Pou moved that when the House adjourn it do so to meet again at seven and a half o'clock, P. M.

The motion prevailed.

On motion of Mr. Vestal,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

A message was received from the Senate transmitting, for consideration of the House,

A bill to authorize the Commissioners of Gaston county to levy a special tax;

A bill to enable owners of wet lands to drain them;

A bill to incorporate the town of Robersonville, Martin county;

A bill to allow the Commissioners of Jones county to levy a special tax;

A bill to authorize and empower the Commissioners of

Wayne county to collect arrears of taxes for the year 1867; and

A bill in relation to drawing seines in Tar River and Trenton Creek.

The bills were appropriately referred.

A message was received from the Senate transmitting, for concurrence,

An amendment to a bill in relation to taking fish from the waters of the Northeast branch of the Cape Fear River.

The amendment was concurred in.

A message was received from the Senate with information that a bill for the relief of the Sheriffs and Collectors of the different counties of the State had been laid on the table in that branch.

A message was received from the Senate transmitting, for consideration of the House,

A bill to incorporate the Railroad Iron Foundry and Manufacturing Company; and

A resolution in relation to witnesses before the Investigation Committee.

The bill and resolution were appropriately referred.

A message was received from the Senate transmitting, for consideration of the House,

An amendment to a bill to empower the Commissioners of Cumberland county to levy a special tax.

Laid over.

A bill defining the powers and duties of constable in certain cases, was taken up.

Mr. Malone moved to lay the bill on the table.

On this motion,

Mr. French called for the yeas and nays.

The call being sustained,

The motion failed for want of a quorum, as follows:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Barnett, Boddie, Carson, Clayton, Davidson, Ellis, Gibson, Green, Hicks, High, Hinnant,

Hodnett, Hoffman, Horney, Kelly of Davie, Laflin, Malone, McCanless, McMillan, Nicholson, Pou, Proffitt, Shaver, Siegrist, Smith of Wayne, Stanton, Thompson, Vestal, Vest, Welch, Whitley and Williams of Harnett—34.

Those who voted in the negative were,

Messrs. Ashworth, Blair, Bowman, Dixon, Forkner, Foster, Franklin, French, Gilbert, Graham, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Long of Chatham, Pearson, Renfrow, Sinclair and Wilson—19.

Mr. Vest moved a call of the House.

The motion prevailed.

The roll was called, and

The following named gentlemen answered to their names:

Messrs. Armstrong, Ashworth, Banner, Barnett, Blair, Boddie, Bowman, Carson, Clayton, Dixon, Durham, Ellis, Forkner, Foster, Franklin, French, Gibson, Gilbert, Graham, Green, Grier, Hicks, Hilliard, High, Hinnant, Hodnett, Hoffman, Horney, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Laflin, Long of Chatham, Malone, McCanless, McMillan, Nicholson, Pearson, Pou, Proffitt, Renfrow, Shaver, Siegrist, Sinclair, Smith of Wayne, Snipes, Stanton, Thompson, Vestal, Vest, Welch, Whitley, Williams of Harnett and Wilson—56.

Mr. Durham moved that further proceedings under the call of the House be dispensed with.

The motion prevailed.

A resolution directing the Public Treasurer to refund to Henderson and Ennis the sum of seventy dollars, was taken up.

The question being on the adoption of the substitute offered for the same by the Committee on Claims,

The substitute was adopted.

The resolution then passed its second and third readings.

A bill to incorporate the North Carolina Sanitary Company was taken up.

The amendment offered by the Committee on Corporations was adopted, and

The bill passed its second reading.

The question being on the passage of the bill on its final reading, (the rules having been suspended,)

Mr. French moved to amend the bill by striking out the words "five hundred thousand," and inserting the words "one million."

The motion prevailed.

The bill then passed its final reading.

A bill to incorporate the Mechanics' Building and Loan Association was taken up and

Passed its second and third readings.

A bill to incorporate the Scotch Fair Grounds, in Richmond county, was taken up and

Passed its second and third readings.

A bill to extend the corporate lines of Hendersonville

Passed its second and third readings.

A bill to extend the limits of the city of Wilmington was taken up.

Mr. French offered a proviso to the bill.

The proviso was adopted.

Mr. Price offered an additional section to the bill.

The amendment was adopted; and

The bill passed its second and third readings.

A Senate bill to incorporate the town of Robertsonville, in Martin county

Passed its second and third readings.

Mr. Whitley, from the Committee on Corporations, reported

A bill to incorporate the Nag's Head Hotel Company, favorably.

A bill to incorporate the Wilmington Building Association

Passed its second and third readings.

On motion of Mr. Barnett,

The House adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, February 15th, 1870.

The House met pursuant to adjournment.

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Mason, of the city.

Mr. Painter introduced

A resolution to provide for a State Printer.

Laid over.

Mr. Whitley introduced

A bill to encourage the improvement of water powers.

Laid over.

Mr. French introduced

A bill supplemental to an act concerning the powers and duties of State officers.

Laid over.

Mr. Vestal moved a suspension of the rules for the purpose of taking up

A resolution to adjourn *sine die* on the 28th instant.

On this motion,

Mr. Bowman called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Bowman, Carson, Carey, Clayton, Davidson, Durham, Ellis, Forkner, Foster, French, Gibson, Graham, Green, Grier, Hicks, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Malone, Mayo, McMillan, Moore of Chowan, Morris, Nicholson, Painter, Pearson, Pou, Proffitt, Renfrow, Reynolds, Shaver, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Sweat, Thompson, Vestal, Vest, Welch, White, Whitley, Williams of Harnett and Wilson—64.

Mr. Hayes voted in the negative.

The question being on the adoption of the resolution,

Mr. Vestal called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Boddie, Bowman, Carson, Clayton, Davis, Davidson, Durham, Ellis, Foster, Franklin, French, Gibson, Gilbert, Graham, Green, Grier, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, McCanless, McMillan, Moore of Chowan, Nicholson, Painter, Pou, Proffitt, Robinson, Reynolds, Seymour, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Thompson, Vestal, Vest, Welch, White, Whitley, Wilkie and Williams of Harnett—55.

Those who voted in the negative were,

Messrs. Barner, Blair, Carey, Crawford, Dixon, Forkner, Gatling, Harris of Franklin, Hayes, Hudgings, Kinney, Leary, Long of Chatham, Malone, Mayo, Morrill, Morris, Pearson, Smith of Martin, Stevens, Sweat, Sykes and Wilson—23.

Mr. Barnett, from the Committee on Corporations, reported

A bill to incorporate the Rescue Steam Fire Engine Company, No. 1, of the city of Raleigh, favorably; and

A bill to incorporate the Trustees of Greensboro' Female College, favorably.

Mr. Whitley, from the same committee, reported

A bill to incorporate the Portis Gold Mine and Sandy Creek Water Company, favorably;

A bill to authorize the incorporation of a Homestead or Building Association, favorably; and

A bill to incorporate the Railroad Iron Foundry and Manufacturing Company, favorably.

Mr. Leary, from the same committee, reported

A bill to amend the charter of the city of Charlotte, without recommendation.

A bill to authorize the Commissioners of Orange county to issue bonds

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Bowman, Carson, Carey, Clayton, Crawford, Davis, Davidson, Dixon, Durham, Ellis, Foster, Franklin, French, Gatling, Gibson, Gilbert, Graham, Green, Grier, Hayes, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Hudgins, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Malone, Mayo, McCanless, M'Millan, Moore of Alamance, Morrill, Nicholson, Painter, Pearson, Proffitt, Robinson, Reynolds, Seymour, Shaver, Siegrist, Sinclair, Simonds, Smith of Martin, Smith of Wayne, Stanton, Stevens, Stilley, Sweat, Sykes, Thompson, Vestal, Vest, Welch, White, Whitley, Williams of Harnett and Wilson—72.

Those who voted in the negative were,

Messrs. Smith of Alleghany and Snipes—2.

A bill to allow township magistrates to take privy examination of married women, was taken up.

Mr. Argo offered a proviso to the bill.

The proviso was adopted.

Mr. Bowman offered an amendment in the shape of a "form," to be attached to the bill.

The amendment was adopted, and the bill

Passed its second and third readings.

A bill to amend chapter 65 of the laws of 1868 and 1869, was taken up.

The hour for the special order having arrived,

Mr. Stilley moved to postpone the same until a final disposition should be made of the bill just taken up.

The motion prevailed.

Consideration of the bill to amend chapter 65, &c., was resumed.

Mr. French moved to indefinitely postpone the bill.

On this motion,

Mr. French called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Foster, French, High, Jarvis, Sinclair, Stanton and Williams of Harnett—8.

Those who voted in the negative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Carson, Carey, Clayton, Crawford, Davis, Davidson, Dixon, Durham, Ellis, Forkner, Franklin, Gatling, Gibson, Gilbert, Graham, Green, Grier, Harris of Wake, Hayes, Hodgin, Hodnett, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Laflin, Long of Chatham, Malone, Mayo, McCanless, Moore of Chowan, Morris, Nicholson, Pearson, Pou, Price, Proffitt, Renfrow, Robinson, Reynolds, Seymour, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stevens, Stilley, Sweat, Sykes, Thompson, Vestal, Vest, Welch, White, Whitley and Wilson—67.

Mr. Durham offered to amend the bill by inserting the following as an additional section, viz:

"That so much of section 7, chapter 112, of the laws of North Carolina, passed at the session of 1868 and 1869, as prescribes the guage of the Plaster Banks and Salt Works Railroad, be, and the same is hereby repealed."

The amendment was adopted.

Mr. Malone offered an additional section, viz:

"That so much of the act passed at the session of 1868 and 1869, and previous acts amending the charter of the Atlantic, Tennessee and Ohio Railroad, as prescribes guage, be, and the same is hereby repealed."

The amendment was adopted.

Mr. Hodgin moved to amend the title of the bill by inserting after the word "five," the words "and chapter 112."

The amendment was adopted.

The question being on the passage of the bill on its second reading,

Mr. Hodgin called the previous question.

The question being "Shall the main question be now put?"

The vote was decided in the affirmative.

Mr. French called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Bowman, Carson, Carey, Clayton, Crawford, Davis, Davidson, Dixon, Durham, Ellis, Forkner, Gatling, Gibson, Graham, Green, Grier, Gunter, Hayes, Hodgin, Hodnett, Horney, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Laflin, Malone, Mayo, McCanless, Moore of Chowan, Morris, Nicholson, Painter, Pearson, Pou, Price, Proffitt, Reynolds, Seymour, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stevens, Stilley, Sweat, Sykes, Vestal, Vest, Whitley and Wilson—59.

Those who voted in the negative were,

Messrs. Armstrong, Foster, French, Hicks, High, Hinnant, Hoffman, Jarvis, Long of Chatham, Siegrist, Sinclair, Stanton, Thompson and Williams of Harnett—13.

The bill then passed its final reading.

Mr. Stilley introduced

A bill to amend section 4 of an act relating to salaries and fees.

Referred to the Committee on Salaries and Fees.

Mr. Jarvis introduced

A resolution to amend the Rules of the House.

Laid over.

Mr. Sinclair introduced

A resolution providing for night sessions on Monday, Wednesday and Friday nights.

Adopted under suspension of the rules.

A Senate bill to incorporate the Portis Gold Mine and Sandy Creek Water Company

Passed its second and third readings.

A bill to make Dan river a lawful fence

Passed its second and third readings.

On motion of Mr. Welch,

The House adjourned to meet again at ten o'clock, Wednesday.

WEDNESDAY, February 16th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Leave of absence was granted Mr. Green from Friday next, till the following Wednesday; to Mr. Proffitt for two weeks; to Mr. Franklin till Monday; to Mr. Ames till Saturday next; and to Mr. Foster for three days, from Saturday next.

Mr. Smith, from the Special Committee of Three, to whom was referred

A bill to create a lien in favor of physicians and surgeons,

Reported the same favorably.

Mr. Ellis introduced

A resolution in favor of J. C. Cline.

Laid over.

Mr. Smith, of Alleghany, introduced

A bill for the relief of Sheriffs who hold receipts in full.

Laid over.

Mr. Painter introduced

A bill for the relief of E. D. Davis.

Laid over.

Mr. Sykes introduced

A bill in regard to warrants and summons.

Referred to the Judiciary Committee.

Mr. Stilley, from the Committee on Salaries and Fees, reported

A bill to amend section four of an act entitled "An Act relating to salaries and Fees," favorably.

A bill to authorize the election of municipal officers in the town of Chapel Hill

Passed its second and third readings.

A Senate bill to incorporate the Planter's Railroad Company was taken up.

Slight amendments were offered by Messrs. McMillan, Moore, of Chowan, and Seymour to sections 1st, 2d, 4th, 9th, 10th, 15th and 26th, which were adopted, and the bill

Passed its second and third readings.

Mr. Moore, of Chowan, announced his resignation as a member of the Finance Committee.

A message was received from the Senate transmitting, for consideration of the House,

A bill to establish the Hebrew Cemetery Company in Wake county;

A bill to incorporate the Centre Iron Company of North Carolina;

A bill to incorporate the Georgetown and Charlotte Railroad Company, and

A bill to repeal certain acts passed at the session of 1868 and 1869, making appropriations to Railroad Companies.

A bill to repeal certain sections of certain chapters of the public laws, was taken up—it being a special order.

Mr. Stilley moved to lay the bill on the table.

On this motion,

Mr. French called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Carson, Cherry, Crawford, Dixon, Eagles, Forkner, Foster, French, Gilbert, Graham, Harris of Wake, Hayes, Hodgin, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Long of Chatham, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Price, Renfrow, Reynolds, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Sykes, Vestal, Vest, White, Wilkie and Wilson—45.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Barnes, Blair, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Gatling, Gibson, Green, Grier, Hicks, High, Hinnant, Hodnett, Hoffman, Jarvis, Kelly of Davie, Malone, McMillan, Mendenhall, Moring, Nicholson, Painter, Pou, Proffitt, Shaver, Siegrist, Smith of Alleghany, Smith of Wayne, Thompson, Whitley and Williams of Harnett—36.

A Senate bill to repeal certain acts passed at the session of 1868 and 1869, making appropriations to Railroad Companies, was taken up under suspension of the rules.

Mr. Welch offered a substitute for the second section.

Mr. French moved to lay the bill on the table.

On this motion,

Mr. French called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Bowman, Eagles, Foster, French, Gilbert, Hayes, Hodgin, Justus of Henderson, Moore of Chowan, Morris, Proffitt, Simonds and Vest—13.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Carson, Carey, Cherry, Clayton, Crawford, Davis, Davidson, Dixon, Durham, Ellis, Forkner, Gatling, Gibson, Graham, Green, Grier, Harris of Wake, Hicks,

High, Hinnant, Hodnett, Hoffman, Horney, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Malone, Mayo, McCanless, McMillan, Mendenhall, Moring, Nicholson, Painter, Pearson, Pou, Renfrow, Robinson, Reynolds, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stilley, Sykes, Thompson, Vestal, Welch, White, Whitley, Wilkie, Williams of Harnett and Wilson—69.

Mr. Dixon moved to refer the bill to a special committee of seven, to be appointed by the Speaker.

On this motion,

Mr. Siegrist called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Bowman, Carson, Dixon, Eagles, Gilbert, Graham, Hayes, Hicks, Justus of Henderson, Kelly of Moore, Kinney, Long of Chatham, Malone, Moring, Rea, Reynolds, Snipes, Stevens, Stilley, Vestal, Vest, Welch, White and Wilson—25.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Barnes, Blair, Boddie, Crawford, Davis, Davidson, Durham, Ellis, Forkner, Foster, French, Gatling, Gibson, Green, Grier, Harris of Franklin, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Hudgings, Ingram, Jarvis, Kelly of Davie, Leary, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Morris, Nicholson, Painter, Pearson, Pou, Price, Proffitt, Renfrow, Shaver, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Sweat, Thompson, Whitley and Williams of Harnett—56.

Pending discussion of the amendment offered by Mr. Welch, viz: a substitute for section 2nd,

On motion of Mr. Stilley,

The House adjourned, to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment,

Mr. Malone in the Chair.

Mr. Durham moved a call of the House.

The motion prevailed.

The roll was called, and the following named members answered to their names:

Messrs. Speaker, Armstrong, Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Bowman, Carey, Cherry, Clayton, Davidson, Dixon, Durham, Forkner, Foster, French, Gibson, Gilbert, Graham, Green, Grier, Hayes, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Malone, Mayo, McCanless, Mendenhall, Morrill, Nicholson, Painter, Pearson, Pou, Price, Rea, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Sykes, Thompson, Vestal, Vest, White, Whitley, Williams of Harnett and Wilson—65.

Mr. Durham moved to dispense with further proceedings under the call.

The motion prevailed.

The unfinished business of the morning being consideration of Mr. Welch's amendment to the Senate bill to amend certain acts passed at the session of 1868 and 1869, making appropriations to Railroads Companies, the same was taken up.

Mr. Stilley moved to refer the bill to a special committee of eight, to be appointed by the Speaker, and have the same printed.

On this motion,

Mr. Siegrist called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Bowman, Cherry, Dixon, Eagles, French,

Gilbert, Graham, Hayes, Hodgin, Ingram, Justus of Henderson, Kelly of Moore, Malone, Mayo, Moore of Chowan, Morrill, Morris, Pearson, Proffitt, Robinson, Siegrist, Simonds, Smith of Martin, Snipes, Stilley, Sykes, Vestal, Vest, White, Wilkie and Wilson—32.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Barnes, Blair, Boddie, Carey, Clayton, Davis, Davidson, Durham, Ellis, Foster, Gibson, Green, Grier, High, Hinnant, Hodnett, Hoffman, Horney, Jarvis, Kelly of Davie, Kinney, Long of Chatham, McCanless, McMillan, Mendenhall, Nicholson, Pou, Shaver, Sinclair, Smith of Alleghany, Smith of Wayne, Stanton, Sweat, Thompson, Whitley and Williams of Harnett—40.

The question recurring on the amendment offered by Mr. Welch, viz: a substitute for section second of the bill,

Mr. French moved to amend the same by inserting, after the words "Madison county," the words "S. N. Martin and R. H. Cowan of New Hanover, and Dixon Ingram of Anson county, shall constitute a committee," &c.

This amendment was rejected.

The amendment offered by Mr. Welch was then rejected.

Mr. Hayes moved to amend by striking out the words "*Provided*, That the provisions of this act shall not apply to the North Western North Carolina Railroad Company."

The amendment was adopted.

Mr. Moore, of Chowan, offered to amend by inserting a substitute for section first of the bill, viz:

"SECTION 1. That innocent purchasers of bonds issued under authority of said acts shall be entitled to the actual cost value paid for the same, upon proving their claims against the State before the Supreme Court, as required by section 11, article 7, of the Constitution, and upon the surrender of said bonds."

Mr. Stevens moved to indefinitely postpone the bill.

On this motion,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Bowman, Eagles, French, Gilbert, Graham, Hayes, Hodgin, Ingram, Justus of Henderson, Morrill, Morris, Simonds, Stevens, Sykes, Vest, White and Wilson—18.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Barnes, Blair, Boddie, Carey, Clayton, Crawford, Davis, Davidson, Dixon, Durham, Ellis, Foster, Gibson, Green, Grier, High, Hinnant, Hodnett, Horney, Jarvis, Kelley of Davie, Kelley of Moore, Long of Chatham, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Nicholson, Painter, Pou, Robinson, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Stilley, Sweat, Thompson, Vestal, Whitley and Williams of Harnett—47.

The question recurring on the amendment offered by Mr. Moore, of Chowan,

Mr. Moore called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Bowman, Cherry, Crawford, Eagles, French, Gilbert, Graham, Hayes, Hodgin, Ingram, Justus of Henderson, Kelly of Moore, Moore of Chowan, Morrill, Morris, Simonds, Stevens, Sykes, Vestal, White and Wilson—21.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Banner, Barnett, Barnes, Blair, Boddie, Carey, Clayton, Davis, Davidson, Durham, Ellis, Foster, Gibson, Green, Grier, High, Hinnant, Hodnett, Hoffman, Horney, Jarvis, Kelly of Davie, Long of Chatham, McCanless, McMillan, Mendenhall, Nicholson, Painter, Pearson, Pou, Robinson, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Stilley, Sweat, Thompson, Whitley and Williams of Harnett—43.

Mr. French moved to amend section 2 by inserting after the word "act," in line 3, the words "shall be returned to the parties from whom they were collected."

The amendment was rejected.

Mr. Moore, of Chowan, moved to amend by striking out all after the enacting clause in section first, and insert the words "That the act making appropriation to the Western Division of the Western North Carolina Railroad is hereby repealed."

On the adoption of this amendment,

Mr. Moore called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs, Cherry, Crawford, Dixon, Eagles, French, Gilbert, Graham, Hayes, Hodgin, Ingram, Long of Chatham, Malone, Moore of Chowan, Morrill, Morris, Stephens, Vestal, White and Wilson—19.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Barnes, Blair, Boddie, Carey, Clayton, Davis, Davidson, Durham, Ellis, Foster, Gibson, Green, Grier, High, Hinnant, Hodnett, Horney, Jarvis, Kelley of Davie, Kelly of Moore, Mayo, McCanless, McMillan, Mendenhall, Nicholson, Painter, Pearson, Pou, Robinson, Shaver, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Sweat, Thompson Whitley and Williams of Harnett—43.

Mr. Whitley moved to amend by inserting the following words after the second section of the bill, "the several counties of the State;" also by striking out the word "Treasurer," and inserting "Auditor."

The amendments were adopted.

Mr. Stilley moved to amend by striking out all after the word "government," in the second section, and inserting the words "and shall be credited to the counties of the State in proportion to the amounts collected from them respectively."

Mr. Durham moved to amend the amendment by inserting

after the word "State," the words "upon the tax to be assessed for the 1870."

This amendment was adopted; and

The amendment, as amended, was adopted.

Mr. Malone offered

A substitute for the whole;

Pending which,

On motion of Mr. Malone,

The House adjourned to meet again at ten o'clock, Thursday.

THURSDAY, February 17th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Hudgings, of the House.

Leave of absence was granted Mr. Nicholson till Thursday, and to Mr. McMillan till Monday.

Mr. Ellison introduced

A bill to authorize the Commissioners of Catawba county to sell town lots.

Laid over.

Mr. Rea introduced

A bill to authorize the Commissioners of Washington county to levy a special tax.

Laid over.

Mr. Painter introduced

A bill for the relief of C. C. Vest, Sheriff of Cherokee county.

Referred to the Committee on Finance.

Mr. Gilbert introduced

A resolution to hasten legislation.

Laid over.

Mr. McMillan introduced

A bill to incorporate the town of Magnolia, in Duplin county.

Referred to the Committee on Corporations.

Mr. French, from the Committee on Counties and Townships, reported

A survey from the Commissioners of Robeson county, favorably.

Mr. Justus introduced

A bill to suspend the execution of *fieri facias* for the sale of land.

Referred to the Judiciary Committee.

Mr. Moore, of Alamance, introduced

A bill to authorize an election of municipal officers for Company Shops.

Passed second and third readings under suspension of the rules.

On motion of Mr. Leary,

The House concurred in the Senate amendment to the bill to levy a special tax for Cumberland county.

A Senate bill to authorize the Commissioners of Perquimans county to issue bonds

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnett, Carson, Carey, Cawthorn, Cherry, Clayton, Dixon, Eagles, Forkner, French, Gatling, Gilbert, Graham, Grier, Hayes, Hoffman, Hudgings, Ingram, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Mayo, Mendenhall, Moring, Morris, Pearson, Price, Renfrow, Reynolds, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Sweat, Sykes, Vest, White, Whitley and Wilson—45.

Those who voted in the negative were,

Messrs. Blair, Ellis, Foster, Gibson, Green, Hicks, Hodnett, Horney, McMillan, Nicholson, Painter, Shaver, Siegrist,

Smith of Alleghany, Smith of Wayne, Thompson, Vestal and Williams of Harnett—18.

On motion of Mr. Jarvis,

The rules were suspended; and

The following resolution, amendatory of the rules of the House, was taken up and adopted, viz:

"*Resolved*, The following to be added to the rules of the House, as rule 54: A motion to suspend the rules shall be put without debate, except the mover may have five minutes to give his reasons for asking for the suspension."

The hour for the special order having arrived, it being

A bill to consolidate the Atlantic and North Carolina and the North Carolina Railroads,

Mr. Seymour, from the committee to whom the matter was referred, reported

A substitute for the bill.

The substitute was adopted.

The question being on the passage of the bill on its second reading,

Mr. French moved to amend by inserting the following as a substitute for the 7th section of the bill, viz:

"SEC. 7. The company thus formed by the union of said companies shall make no discrimination in rates of charges for the carrying of passengers or freights against the city of Wilmington or any station on the Wilmington and Weldon Railroad, but the rates for carrying passengers and like classes and qualities of freights to and from those points shall be no greater for the distance they are carried by the company to be thus formed than is charged for the same passengers and freights destined to or from Newbern or Morehead city. And if any officer or agent of said company shall violate the provisions of this section, any person injured or suffering loss thereby, may sue the company or such officer or agent, in

any court having jurisdiction of the cause, and recover his actual damages and costs, and in addition thereto shall recover the sum of fifty dollars as liquidation and settled damages."

Mr. Seymour called the previous question.

The question being "Shall the main question be now put?"

The vote was decided in the affirmative.

The question recurring on the amendment offered by Mr. French,

Mr. French called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Blair, Boddie, Carson, Crawford, Davidson, Durham, Eagles, Foster, Gatling, Gibson, Graham, High, Hodnett, Hoffman, Kelly of Davie, Leary, Long of Chatham, McMillan, Moore of Alamance, Moore of Chowan, Price, Rea, Robinson, Smith of Alleghany, Smith of Wayne, Vestal, White and Williams of Harnett—29.

Those who voted in the negative were,

Messrs. Armstrong, Banner, Barnett, Barnes, Carey, Cawthorn, Clayton, Davis, Dixon, Farrow, Forkner, French, Gahagan, Gilbert, Green, Harris of Franklin, Harris of Wake, Hayes, Hicks, Hinnant, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Kinney, Malone, Mayo, McCanless, Mendenhall, Morris, Nicholson, Pearson, Pou, Proffitt, Reynolds, Seymour, Shaver, Siegrist, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Sweet, Thompson, Vest, Welch, Whitley, Wilkie and Wilson—51.

The question being on the passage of the bill on its second reading,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnett, Boddie, Bowman, Carson,

Carey, Clayton, Davis, Davidson, Dixon, Eagles, Farrow, Gahagan, Gilbert, Graham, Green, Harris of Franklin, Harris of Wake, Ingram, Long of Chatham, Malone, Mayo, Moore of Chowan, Morrill, Morris, Nicholson, Pearson, Reynolds, Seymour, Sinclair, Simonds, Snipes, Stanton, Stevens, Stilley, Thompson, Vest, Welch, White, Wilkie, Williams of Harnett and Wilson—43.

Those who voted in the negative were,

Messrs. Barnes, Blair, Cawthorn, Cherry, Crawford, Durham, Ellis, Forkner, Foster, French, Gatling, Gibson, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Kelly of Davie, Kelly of Moore, Leary, McCanless, McMillan, Mendenhall, Moore of Alamance, Painter, Price, Proffitt, Rea, Renfrow, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Sweat, Vestal and Whitley—39.

The rules having been suspended,

Mr. Sinclair moved to have the bill printed and made special for Wednesday next, at eleven o'clock.

Mr. Durham moved to amend the motion by making the bill special for Monday, the 28th instant, at eleven o'clock.

Mr. Price moved to lay the bill on the table.

On this motion,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who in the affirmative were,

Messrs. Armstrong, Barnes, Carson, Cawthorn, Durham, Eagles, Ellis, Forkner, Foster, French, Gatling, Gibson, Grier, Hicks, High, Hinnant, Hodgin, Hodnett, Hofman, Horney, Kelly of Davie, Kelly of Moore, Leary, Mendenhall, Painter, Price, Proffit, Rea, Renfrow, Robbins, Shaver, Seigrist, Smith of Alleghany, Smith of Martin, Smith of Wayne and Whitley—36.

Those who voted in the negative were,

Messrs. Argo, Banner, Blair, Boddie, Bowman, Cherry, Clayton, Crawford, Davis, Davidson, Dixon, Farrow, Gahagan,

Graham, Green, Harris of Franklin, Harris of Wake, Hudgings, Ingram, Jarvis, Justus of Hendenson, Kinney, Long of Chatham, Malone, Mayo, McCanless, Moore of Alamance, Moore of Chowan, Morrill, Morris, Nicholson, Pearson, Pou, Reynolds, Seymour, Sinclair, Snipes, Stanton, Stevens, Sweat, Sykes, Thompson, Vest, Welch, White, Wilkie, Williams of Harnett and Wilson—48.

The question recurring on the motion of Mr. Durham to amend the motion of Mr. Sinclair,

The amendment was adopted, and

The motion, as amended, prevailed.

Mr. Leary, from the Committee on Corporations, reported

A Senate bill to incorporate the Georgetown and Charlotte Railroad Company, favorably.

Mr. French introduced

A bill to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete their road.

Referred to the Judiciary Committee.

On motion of Mr. Sinclair,

The House then adjourned to meet again at ten o'clock, Friday.

FRIDAY, February 18th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair,

Prayer by Rev. Dr. Smith, of the House.

Leave of absence was granted Mr. Pou till Monday next; to Mr. Williams, of Sampson, indefinitely; to Mr. Welch and Mr. Bowman, for next week; to Mr. Kinney, for one day; to Mr. Stevens, till Wednesday; to Mr. Seymour, till Monday; to Mr. Davis, till Friday; to Mr. Kelly, of Moore, till Wednesday.

Mr. French, from the Committee on Counties and Townships, reported

A bill appointing Commissioners to lay off and establish the dividing line between the counties of Hertford and Northampton, favorably, with amendments.

A bill to authorize the Commissioners of Catawba county to sell certian lots

Passed its second and third readings.

Mr. McMillan introduced

A bill to incorporate the Onslow branch of the Wilmington and Weldon Railroad.

Referred to the Committee on Corporations.

A message was received from the Governor in relation to supplying funds for the relief of the Insane Asylum and the Institution for the Deaf and Dumb and Blind.

Referred to the Finance Committee.

A Senate bill to repeal certain acts passed at the session of 1868 and 1869, making appropriations to Railroad Companies, was taken up.

The question being on the adoption of the substitue offered by Mr. Malone,

Mr. Seymour moved to postpone the bill till Tuesday next, 10½ o'clock.

On this motion,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Bowman, Carson, Carey, Cherry, Crawford, Eagles, Forkner, Gahagan, Gilbert, Graham, Hodgin, Hoffman, Ingram, Justus of Henderson, Kelly of Moore, Leary, Malone, Moore of Chowan, Morrill, Morris, Pearson, Seymour, Siegrist, Simonds, Snipes, Stanton, Stevens, Vestal, Vest, Welch, White, Wilkie, Williamson and Wilson—35.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie,

Cawthorn, Clayton, Davis, Davidson, Durham, Ellis, Gatling, Gibson, Green, Grier, Harris of Franklin, Hayes, Hicks, High, Hinnant, Hodnett, Horney, Hudgings, Jarvis, Kelly of Davie, Kinney, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Pou, Renfrow, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Sweat, Sykes, Thompson, Whitley and Williams of Harnett—44.

The question recurring on the adoption of the substitute,

Mr. Moore of Chowan moved to postpone the bill till Monday next at ten and a half o'clock;

Pending which,

By leave,

Mr. Whitley, from the Committee on Corporations, reported

A bill to incorporate the Onslow branch of the Wilmington and Weldon Railroad.

On motion of Mr. French,

The House adjourned, to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. Seymour, from the Judiciary Committee, reported

A bill to repeal chapter 219 of the public laws, unfavorably;

A bill to make uniform the mode of procedure, &c., favorably;

A bill to allow Probate Judges to prove deeds, favorably;

A bill to re-endow the University of North-Carolina, recommending postponement till next session;

A bill to require defendants to file pleadings on oath in all cases in which the execution of any written instrument is denied, favorably;

A bill to amend an act in relation to landlord and tenant, favorably;

A Senate bill to change the rules of evidence in certain cases, favorably;

A Senate bill to amend an act to establish the days and places for selling real property under execution, favorably.

Mr. Seymour introduced

A bill to incorporate the Policy Holder's Life and Tontine Assurance Company of the South.

Referred to the Judiciary Committee.

Mr. Stevens introduced

A bill to create a new county by the name of Pamlico.

Referred to the Committee on Propositions and Grievances.

Mr. Hodgins, from the Committee on Finance, to whom was referred a message from the Governor in relation to supplying funds for the support of the Insane Asylum and the Institution for the Deaf and Dumb and the Blind, introduced

A bill to supply funds for the use of the Insane Asylum, and for our purposes.

Passed second and third readings, under suspension of the rules.

A motion to reconsider the last vote was made and laid on the table.

The unfinished business was taken up, it being

A bill to repeal certain acts, passed at the session of 1868 and 1869, making appropriations to railroad companies.

The question recurred on the motion to postpone till Monday, at ten and a half o'clock,

Mr. Sinclair moved to amend by striking out "Monday" and inserting "Tuesday."

On this motion,

Mr. French called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Barnes, Blair, Boddie, Bowman,

Carey, Cherry, Clayton, Crawford, Durham, Eagles, Forkner, French, Gibson, Gilbert, Green, Grier, Harris of Franklin, Hayes, Hilliard, High, Hodgin, Hodnett, Horney, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Leary, Malone, Mayo, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Morris, Nicholson, Pearson, Pou, Price, Proffitt, Renfrow, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Stilley, Vestal, Vest, White, Whitley, Wilkie, Williams of Harnett, Williamson and Wilson—62.

Those who voted in the negative were,

Messrs. Ashworth, Cawthorn, Davis, Davidson, Ellis, Hinnant, Hoffman, Long of Chatham, McCanless, Painter, Robinson and Thompson—12.

The motion, as amended, was then rejected.

The question recurring on the substitute offered by Mr. Malone,

Mr. French moved to postpone the bill till Thursday next at eleven o'clock.

On this motion

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Cherry, Eagles, Forkner, French, Gilbert, Hayes, Ingram, Justus of Henderson, Kelly of Moore, Laflin, Malone, Mayo, Moore of Chowan, Morris, Pearson, Price, Proffitt, Siegrist, Stevens, Sykes, Vestal, Vest, White, Wilkie, Williamson and Wilson—27.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Clayton, Davis, Durham, Ellis, Gibson, Green, Grier, Harris of Franklin, Hicks, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Jarvis, Kinney, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Renfrow, Robinson, Shaver, Sin-

clair, Smith of Alleghany, Smith of Martin, Stanton, Thompson, Whitley and Williams of Harnett—42.

Mr. Jarvis moved to refer the bill to a special committee of three.

On this motion,

Mr. Jarvis called the previous question.

The question being, "Shall the main question be now put?"

The vote was decided in the affirmative, as follows:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Barnes, Blair, Boddie, Cawthorn, Clayton, Davis, Durham, Ellis, Gibson, Green, Grier, Harris of Franklin, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Jarvis, Kelly of Davie, Kinney, Laflin, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Peck, Shaver, Sinclair, Smith of Alleghany, Smith of Martin, Thompson, Whitley and Williams of Harnett—40.

Those who voted in the negative were,

Messrs. Banner, Bowman, Carey, Cherry, Eagles, Forkner, Graham, Ingram, Kelly of Moore, Leary, Malone, Mayo, Renfrow, Seymour, Siegrist, Stanton, Sweat, Vest, Welch and White—20.

The question being on the motion to refer,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnes, Blair, Boddie, Carey, Cawthorn, Clayton, Davis, Durham, Ellis, Gibson, Green, Grier, Harris of Franklin, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Jarvis, Kelly of Davie, Kinney, Long of Chatham, Malone, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Shaver, Sinclair, Smith of Alleghany, Smith of Martin, Thompson, Whitley and Williams of Harnett—40.

Those who voted in the negative were,

Messrs. Bowman, Cherry, Eagles, Forkner, French, Gilbert, Graham, Hayes, Hodgin, Ingram, Justus of Henderson, Kelly of Moore, Laflin, Leary, Mayo, Moore of Chowan, Morris, Pearson, Price, Proffitt, Renfrow, Robinson, Seymour, Siegrist, Stanton, Stevens, Stilley, Sweat, Sykes, Vestal, Vest, Welch, White, Williamson and Wilson—35.

Mr. Malone moved a reconsideration of the vote just taken.

Mr. Bowman moved to adjourn.

On this motion,

Mr. Blair called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Bowman, Cherry, Eagles, French, Gilbert, Graham, Hayes, Hodgin, Ingram, Justus of Henderson, Kelly of Moore, Laflin, Malone, Mayo, Moore of Chowan, Morris, Pearson, Price, Proffitt, Seymour, Simonds, Stanton, Stevens, Sykes, Vestal, Vest, Williamson and Wilson—29.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Barnes, Blair, Boddie, Cawthorn, Clayton, Durham, Ellis, Gibson, Green, Grier, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Jarvis, Kelly of Davie, Kinney, Leary, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance Nicholson, Painter, Pou, Renfrow, Robinson, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Stilley, Sweat, Thompson, Welch, Whitley and Williams of Harnett—42.

The question recurring on the motion to reconsider,

Mr. Malone called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Bowman, Carey, Cherry, Durham, Eagles, Forkner, French, Gahagan, Gilbert, Green, Hayes, Hicks, Hodgin, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Laflin, Leary, Malone, Mayo, Moore of Chowan,

Morris, Painter, Pearson, Price, Proffitt, Robinson, Stanton, Stevens, Stilley, Sweat, Sykes, Vestal, Vest, Welch, White, Williamson and Wilson—40.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Barnes, Blair, Boddie, Cawthorn, Clayton, Crawford, Davis, Gibson, High, Hinnant, Hoffman, Horney, Jarvis, Kinney, Long of Chatham, McCanless, Mendenhall, Pou, Renfrow, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Thompson, Whitley and Williams of Harnett—29.

The question then recurring on the motion to refer to a committee of three,

On motion of Mr. Moore, of Chowan,

The House adjourned to meet again at ten and a half o'clock, Saturday.

SATURDAY, February 19th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Smith, of the House.

A message was received from the Senate, transmitting

A bill to empower the Commissioners of Caldwell county to levy a special tax;

A bill to authorize the Commissioners of Harnett county to levy a special tax;

A bill to authorize the Commissioners of Alamance county to lay a special tax;

A bill to authorize the Commissioners of Anson county to levy a special tax; and

A bill in relation to bonds issued to railroads under the acts of 1868 and 1869.

The bills were appropriately referred.

Mr. Stilley presented

A petition from a portion of the citizens of Beaufort county in relation to the establishment of a new county by the name of Pamlico.

Referred to the Committee on Counties and Townships.

Also,

A petition in favor of William Grist, of Beaufort.

Referred to the Committee on Propositions and Grievances.

Mr. Welch introduced

A resolution to prohibit the granting of leaves of absence.

Laid over.

Mr. Clayton introduced

A bill for the relief of the sureties of J. W. C. Piercy.

Referred to the Finance Committee;

Mr. French introduced

A bill to incorporate the Real Estate and Loan Association of Wilmington.

Referred to the Committee on Corporations;

Also,

A bill to incorporate the Planters and Merchants' Railway Company.

Same reference.

Mr. Pou introduced

A bill to amend chapter 113 of the laws of 1868 and 1869;

Also,

A bill in relation to conveyances in fee simple.

Referred to the Judiciary Committee;

Mr. Moore, of Chowan, introduced

A bill to permit persons to obtain license to practise as Attorneys in the Superior Courts of this State;

Also,

A bill to amend the Code of Civil Procedure.

Referred to the Judiciary Committee.

A Senate bill to incorporate the Rescue Steam Fire Engine Company, No. 1, of the city of Raleigh,

Passed its second and third readings.

The unfinished business of the previous day being

A Senate bill to repeal certain acts passed at the session of 1868 and 1869, making appropriations to railroad companies,

Mr. Mendenhall moved to postpone the consideration of all other matters for the purpose of considering the same.

On this motion,

Mr. French called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Barnes, Blair, Boddie, Carson, Cawthorn, Clayton, Ellis, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, High, Hinnant, Hodnett, Hoffman, Horney, Kelly of Davie, Leary, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Pou, Renfrow, Shaver, Seigrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Sweat, Thompson, Whitley and Williams of Harnett—37.

Those who voted in the negative were,

Messrs. Argo, Ashworth, Banner, Candler, Cherry, Eagles, Forkner, French, Gilbert, Graham, Hayes, Hilliard, Hodgin, Hudgings, Ingram, Justus of Henderson, Laflin, Malone, Painter, Price, Robinson, Simonds, Snipes, Stanton, Sykes, Vestal, Vest, Welch, White, Williamson and Wilson—31.

By leave,

Mr. Jarvis withdrew his motion to refer the bill to a committee of three.

Mr. Welch then moved to refer the bill to the Judiciary Committee and make special for Thursday next, at eleven o'clock.

On this motion,

Mr. Welch called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Candler, Carson, Cherry, Clayton, Eagles, Forkner, French, Gahagan, Gilbert, Hayes, Hilliard, Hodgin, Ingram, Justus of Henderson, Laflin, Malone, Moore of Chowan, Morris, Painter, Price, Proffitt, Simonds, Snipes, Stanton, Sykes, Vest, Welch, White, Williamson and Wilson—31.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Crawford, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Hudgings, Jarvis, Kelly of Davie, Leary, Long of Chatham, Mayo, McCanless, McMillan, Mendenhall, Pou, Renfrow, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Sweat, Thompson, Vestal, Whitley and Williams of Harnett—46.

Mr. Harris, of Wake, moved to refer the bill to the Judiciary Committee, with instructions to report Tuesday next.

Mr. Moore, of Chowan, moved as a substitute, that the bill be referred and made special for Wednesday next, at eleven o'clock.

The motions were both rejected.

Mr. Jarvis moved to refer the bill to the Judiciary Committee with instructions to report on or before Wednesday next.

The motion prevailed.

On motion of Mr. Jarvis,

The House then adjourned, to meet again at ten o'clock Monday.

MONDAY, February, 21st, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair,

Praver by Rev. Dr. Atkinson, of the city.

Leave of absence was granted Mr. Harris, of Wake, for ten days; to Mr. Whitley for one week; to Mr. White, for ten days from Thursday next; to Mr. Downing, for one day.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A bill to prohibit the sale of spiritous liquous within five miles of Wake Forest College, favorably; and

A bill to regulate pilotage at Hatteras and Ocracoke, favorably.

The Speaker announced Mr. Hinnant as chairman of the Finance Committe.

Mr Hodgin, from the Committee on Finance, reported, for the Committee,

A bill to raise Revenue.

The bill was ordered printed and made special for Tuesday at eleven o'clock.

Mr. Jarvis, from the Committee on the Judiciary, reported

A Senate bill to repeal certain acts passed at the session of 1868 and 1869, making appropriations to railroad companies, favorably.

Mr. F. N. Strudwick, member elect in place of John J. Allison, of Orange county, resigned, came forward, qualified and took his seat.

Mr. Sykes introduced

A bill to protect the rights of citizens traveling in public conveyances.

Laid over.

Mr. Malone introduced

A bill to modify chapter 79 of the public laws of 1868 and 1869.

Referred to the Committee on Propositions and Grievances.

A bill to incorporate Colesville Lodge of Free Masons, No. 278,

Passed its second and third readings.

A resolution to prohibit the granting of leaves of absence was taken up.

Mr. Long, of Chatham, moved to indefinitely postpone the resolution.

On this motion,

Mr. Welch called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Barnes, Blair, Eagles, Forkner, Green, Grier, Harris of Franklin, Hayes, Hilliard, Hinnant, Hodgin, Hoffman, Horney, Long of Chatham, Pearson, Price, Snipes, Stanton, Stilley, Vest and Williamson—23.

Those who voted in the negative were,

Messrs. Argo, Ashworth, Boddie, Candler, Carson, Cawthorn, Clayton, Farrow, Ferebee, Franklin, Gahagan, Gibson, Gilbert, Graham, Gunter, Hawkins, Hendricks, Hicks, High, Hodnett, Humphries, Hudgings, Ingram, Justus of Henderson, Kelly of Davie, Leary, Malone, McCanless, McMillan, Mendenhall, Moore of Alamance, Morrill, Painter, Ragland, Rea, Robinson, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Strudwick, Sweat, Vestal, Welch, Wilkie and Wilson—48.

The resolution was then adopted.

A message was received from the Senate transmitting

A bill to consolidate the acts incorporating the town of Lenoir, and acts amendatory thereof.

Laid over.

The Speaker announced the name of Mr. Strudwick as additional to the Judiciary Committee.

A Senate bill to allow the Commissioners of Jones county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnes, Candler, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davidson, Farrow, Fer-

ebee, Forkner, French, Gahagan, Gilbert, Graham, Green, Grier, Harris of Wake, Hilliard, Hoffman, Humphries, Ingram, Kelly of Davie, Leary, Long of Chatham, Malone, McCanless, McMillan, Moore of Chowan, Morrill, Price, Ragland, Rea, Robinson, Snipes, Stanton, Stilley, Sykes, Vest, Welch, White, Wilkie and Wilson—46.

Those who voted in the negative were,

Messrs. Blair, Eagles, Ellis, Gibson, Gunter, Hawkins, Hayes, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Mendenhall, Painter, Pearson, Renfrow, Reynolds, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Strudwick, Sweat, Vestal, Williams of Harnett and Williamson—27.

Mr. Jarvis moved to suspend the rules for the purpose of taking up

A Senate bill to repeal certain acts passed at the session of 1868 and 1869, making appropriations to railroad companies.

On this motion,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Carey, Cawthorn, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hendricks, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Humphries, Hudgings, Jarvis, Kelly of Davie, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Pearson, Price, Renfrow, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Welch, Wilkie and Williams of Harnett—50.

Those who voted in the negative were,

Messrs. Candler, Carson, Cherry, Clayton, Crawford, Eagles, Forkner, French, Gahagan, Gilbert, Graham, Hayes, Hilliard Hodgin, Ingram, Justus of Henderson, Mayo, Moore of Chowan,

Morrill, Painter, Ragland, Rea, Reynolds, Simonds, Stilley, Vestal, Vest, White, Williamson and Wilson—30.

Mr. French moved that the report of the Committee on the Judiciary be not accepted.

Mr. Harris, of Wake, moved that the bill be postponed, and made special for Wednesday next, at eleven o'clock.

On this motion,

Mr. Mendenhall called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Candler, Carson, Carey, Crawford, Eagles, Forkner, French, Gahagan, Gilbert, Graham, Gunter, Hayes, Hendricks, Hilliard, Ingram, Justus of Henderson, Laflin, Malone, Mayo, Moore of Chowan, Morrill, Price, Ragland, Reynolds, Simonds, Stilley, Sykes, Vest, White, Williamson and Wilson—32.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Barnes, Blair, Boddie, Cawthorn, Clayton, Ellis, Farrow, Ferebee, Franklin, Gatling, Gibson, Green, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Humphries, Hudgings, Jarvis, Kelly of Davie, Leary, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Painter, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat and Williams of Harnett—43.

The question then being on the motion of Mr. French, viz: not to accept the report of the committee,

Mr. French called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Candler, Carson, Cherry, Crawford, Eagles, Forkner, Franklin, French, Gahagan, Gilbert, Graham, Harris of Wake, Hayes, Hilliard, Hodgin, Ingram, Justus of Hen-

derson, Laflin, Malone, Mayo, Moore of Chowan, Morrill, Painter, Price, Ragland, Rea, Reynolds, Simonds, Stilley, Sykes, Vestal, Vest, Welch, White, Williamson and Wilson—37.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Clayton, Ellis, Farrow, Ferebee, Gatling, Green, Hawkins, Hicks, High, Hinnant, Hodnett, Horney, Humphries, Hudgings, Jarvis, Kelly of Davie, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Pearson, Renfrow, Robinson, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick and Williams of Harnett—40.

The question then being on the bill on its second reading,

Mr. Malone moved to amend the bill by inserting the following as an additional section, viz:

"That no taxes be levied or collected for the years 1870 and 1871, for the purpose of paying interest on bonds authorized to be issued for railroad purposes by acts of this General Assembly passed prior to the year 1868."

On the adoption of this amendment,

Mr. Malone called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Candler, Carson, Cherry, Eagles, Forkner, French, Gahagan, Gilbert, Graham, Green, Gunter, Harris of Wake, Hayes, Hendricks, Ingram, Justus of Henderson, Malone, Mayo, Moore of Chowan, Morrill, Morris, Painter, Price, Ragland, Rea, Robinson, Reynolds, Siegrist, Simonds, Stilley, Vest, Welch, Williamson and Wilson—35.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Clayton, Ellis, Farrow, Ferebee, Franklin,

Gatling, Gibson, Grier, Hawkins, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Humphries, Jarvis, Kelly of Davie, Leary, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Pearson, Renfrow, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson and Williams of Harnett—43.

Mr. Harris, of Wake, moved to postpone the bill till Wednesday next at twelve and a half o'clock.

On this motion,

Mr. Harris called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Candler, Carson, Cherry, Crawford, Eagles, Forkner, French, Gahagan, Gilbert, Graham, Gunter, Harris of Wake, Hayes, Hilliard, Hodgin, Justus of Henderson, Laflin, Malone, Mayo, Morrill, Morris, Painter, Ragland, Rea, Reynolds, Simonds, Stilley, Vestal, Vest, White, Williamson and Wilson —32.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Clayton, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, Hendricks, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Humphries, Hudgings, Jarvis, Kelly of Davie, Leary, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Pearson, Renfrow, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson, Welch and Williams of Harnett—49.

Mr. Moore, of Chowan, moved to amend the bill by inserting after the word "Treasurer," in the first section, the words:

"That the Treasurer of the Board of Education return to the Public Treasurer all the bonds of the State issued under the provisions of said acts, which are held by him in trust for

said Board; and thereupon, the Public Treasurer is hereby directed to issue certificates of indebtedness to said Treasurer, signed by him, dated the first day of February, 1870, and bearing interest at the rate of six per cent. semi-annually, payable at the Treasury."

On the adoption of this amendment,

Mr. Moore called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Candler, Carson, Cherry, Eagles, Forkner, French, Gahagan, Gilbert, Graham, Hilliard, Hodgin, Ingram, Justus of Henderson, Laflin, Malone, Mayo, Moore of Chowan, Morris, Price, Rea, Reynolds, Simonds, Snipes, Stilley, Vestal, White, Wilkie, Williamson and Wilson—29.

Those who voted in the negative were:

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Clayton, Ellis, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Humphries, Hudgings, Jarvis, Kelley of Davie, Learey, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Painter, Pearson, Renfrow, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Strudwick, Thompson, Welch and Williams of Harnett—45.

Mr. Moore, of Chowan, moved to amend further by inserting the following after the word "Treasurer," in section first, viz:

"That the Treasurer of the University of North Carolina return to the Public Treasurer all the bonds of the State issued under the provisions of said acts, which are held by him in trust for said institution; and thereupon the Public Treasurer is hereby directed to issue certificates of indebtedness to said Treasurer signed by him, dated the first day of February, 1870,

and bearing interest at the rate of six per cent. per annum, payable semi-annually at the Treasury."

On the adoption of this amendment,

Mr. Moore called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Candler, Cherry, Crawford, Eagles, Forkner, French, Gahagan, Gilbert, Hayes, Hilliard, Justus of Henderson, Laflin, Malone, Moore of Chowan, Price, Ragland, Reynolds, Simonds, Stilley, Sykes, Vest, White, Williamson and Wilson—24.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carson, Carey, Cawthorn, Clayton, Ellis, Farrow, Ferebee, Franklin, Gatling, Gibson, Green, Grier, Gunter, Hawkins, Hicks, High, Hinnant, Hodnett, Horney, Humphries, Hudgings, Jarvis, Kelly of Davie, Leary, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Painter, Pearson, Renfrow, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Strudwick, Sweat, Thompson, Vestal, Welch and Williams of Harnett—51.

Mr. Moore moved to amend further, by inserting the following proviso after the word "Treasurer," in the first section:

"*Provided*, That the innocent holders of bonds of the State, issued under the provisions of said acts, shall not be prejudiced by this act; that they may prove their claims against the State before the Supreme Court, in accordance with Article IV, section 11, of the Constitution of the State; that they shall receive the actual cost value paid for said bonds, to be funded or otherwise provided for as the next General Assembly may enact."

The amendment was rejected.

Mr. Moore moved to amend further by adding the following proviso to section first, viz:

"*Provided*, That the provisions of this act shall not apply to the holders of bonds of the State issued to the Willamston and Tarboro' Railroad Company."

The amendment was rejected.

Mr. Moore moved to amend further by inserting the following proviso:

"*Provided*, That section 10 of chapter 20 of the public laws of 1868 and 1869, shall remain in full force and effect."

The amendment was rejected.

Mr. Moore moved to amend further by inserting after the word "that" in section first, the words "the clauses levying special taxes to pay the interest in."

On the adoption of this amendment,

Mr. Moore called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Candler, Carson, Crawford, Eagles, Forkner, French, Gahagan, Gilbert, Graham, Hayes, Hilliard, Hodgin, Ingram, Justus of Henderson, Laflin, Malone, Moore of Chowan, Morrill, Morris, Price, Ragland, Rea, Reynolds, Simonds, Stilley, Sykes, Vestal and Wilson—28.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Clayton, Ellis, Farrow, Ferebee, Franklin, Gatling, Gibson, Green, Grier, Gunter, Hawkins, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Humphries, Hudgings, Jarvis, Kelly of Davie, Leary, Long of Chatham, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Painter, Pearson, Renfrow, Robinson, Shaver, Siegrist, Smith of

Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Welch and Williams of Harnett—51.

Mr. Vest moved to amend by inserting the following as a proviso to section 2, viz:

"That nothing in this act shall apply to the North Western North Carolina Railroad; *Provided*, That said road shall promptly pay the interest accruing on the bond which they receive in any indebtedness of the State."

The amendment was rejected.

Mr. French moved to amend by inserting the following as a proviso, viz:

"*Provided*, That if the President and Directors of the Western Extension of the Western North Carolina Railroad shall, on or before the first day of April next, make a statement of the finances of that Railroad Company to the Governor and Superintendent of Public Works, that will be satisfactory to them, then the provisions of this act shall be null and void; otherwise to be in full force and effect."

The amendment was rejected.

Mr. French moved to amend further by inserting the following as a substitute for the last section, viz:

"This act shall be in force from and after the 5th day of April, A. D. 1870."

The amendment was rejected,

Mr. French moved to amend further by inserting the following provision, viz:

"*Provided*, That the provisions of this act shall not apply to the Wilmington, Charlotte and Rutherford Railroad Company."

The amendment was rejected.

Mr. Ingram moved to amend by inserting the following as a proviso, viz:

"*Provided*, That this act shall not in any way affect the Wilmington, Charlotte and Rutherford Railroad Company further than to repeal that part of the law appropriating four millions of dollars to said railroad company."

On the adoption of this amendment,

Mr. Ingram called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Candler, Carson, Cherry, Eagles, Forkner, French, Gahagan, Gilbert, Hayes, Hoffman, Ingram, Justus of Henderson, Malone, Moore of Chowan, Morrill, Morris, Price, Ragland, Vestal and White—20.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Clayton, Crawford, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hendricks, Hicks, High, Hinnant, Hodnett, Humphries, Hudgings, Jarvis, Kelly of Davie, Leary, Long of Chatham, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Painter, Pearson, Renfrow, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Strudwick, Sweat, Thompson, Welch, Wilkie, Williams of Harnett and Wilson—53.

Mr. Wilkie moved to amend the bill by including "Turnpike Companies."

On this amendment,

Mr. Wilkie called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Blair, Cherry, Eagles, Forkner, Graham, Gunter, Hayes, Hicks, Hilliard, High, Hinnant, Hodgin, Hodnett, Hoffman, Justus of Henderson, Laflin, Morrill, Morris, Ragland, Siegrist, Simonds, Sykes and Wilkie—23.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Boddie, Candler, Carson, Carey, Cawthorn, Clayton, Crawford, Ellis, Farrow, Ferebee, Franklin, French, Gahagan, Gibson, Gilbert, Green, Grier, Hawkins, Horney, Humphries, Hudgins, Jarvis, Kelly of Davie, Leary, Long of Chatham, Malone, Mayo, McCanless, Mendenhall, Painter, Pearson, Renfrow, Robinson, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweet, Thompson, Vestal, Welch, White, Williams of Harnett and Wilson—52.

The question then recurred on the adoption of the substitute offered by Mr. Malone, the same being as follows, viz:

AN ACT TO SUSPEND THE COLLECTION OF THE SPECIAL TAX NOW AUTHORIZED BY LAW UNTIL THE YEAR 1871.

The General Assembly of North Carolina do enact:

SECTION 1. That the levy and collection of all special tax for railroads now allowed by law, be and the same is hereby suspended until the year 1871.

SEC. 2. That each and every railroad company in the State having the bonds of the State under existing laws are hereby prohibited from the sale, transfer or hypothecation of any portion of said bonds until the further direction of this General Assembly.

SEC. 3. That any president, director, or agent of any railroad company, or other person having the custody of said bonds, who shall violate section two of this act shall be guilty of a felony, and on conviction shall be imprisoned in the penitentiary for a period of not more than five nor less than three years.

SEC. 4. This act shall be in force from and after its ratification.

Mr. Malone called for the yeas and nays.

The call being sustained,

The substitute was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Candler, Carson, Eagles, Forkner, French, Gahagan, Gilbert, Graham, Gunter, Hendricks, Hilliard, Hodgin, Ingram, Justus of Henderson, Laflin, Long of Chatham, Malone, Mayo, Moore of Chowan, Morrill, Morris, Painter, Price, Ragland, Rea, Siegrist, Simonds, Stilley, Sykes, Vestal, Vest, White, Williamson and Wilson—35.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Clayton, Ellis, Farrow, Ferebee, Franklin, Gatling, Gibson, Green, Grier, Hawkins, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Humphries, Hudgings, Jarvis, Kelly of Davie, Leary, McCanless, McMillan, Mendenhall, Moore of Alamance, Pearson, Renfrow, Robinson, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson and Williams of Harnett—46.

Mr. French offered the following as a substitute for the whole, viz:

WHEREAS, The people of this State are in a comparatively impoverished condition, owing partly to the late devastating war and partly to a very general failure of crops since the war, so that it is inexpedient and unjust to levy upon them more taxes than are actually necessary for an economical administration of the State government; and

Whereas, recent acts of the General Assembly have ordered the return to the State Treasury of all the unsold "special tax" bonds issued to aid in the construction of certain railroads; and

Whereas, there is now in the State Treasury over three hundred thousand dollars, collected for the payment of interest on "special tax" bonds, which payment of interest has been forbidden, for the present, by the General Assembly, so that the said money must lie idle, unless otherwise appropriated: therefore

The General Assembly of North Carolina do enact:

SECTION 1. That the State Treasurer be and is hereby instructed, authorized and empowered to borrow from the "special tax" fund whatever amount of money may now be to its credit in the Treasury, and to apply it to the general expenses of the State government.

SEC. 2. That the State Treasurer shall, as fast as the coupons become due of the "special tax" bonds returned to the Treasury by the railroad companies, detach them from the bonds and charge them against the "special tax" fund to offset, pro rata, the money authorized to be borrowed by section one of this act.

SEC. 3. That for the purpose of protecting the *bona fide* purchasers of "special tax" bonds that have been sold, the State Treasurer be, and is hereby directed and authorized to cause to be prepared, and to sell, bonds of the State to an amount not exceeding one million of dollars, which bonds shall bear date the 1st day of January, A. D. 1870, and be made payable thirty years thereafter, with coupons bearing six per cent. interest, payable at such places as the State Treasurer may prescribe. The said bonds shall be of the denominations of one hundred dollars, five hundred dollars, and one thousand dollars, and shall not be disposed of for less than par, the proceeds to be appropriated to the payment of coupons of "special tax" bonds in the hands of *bona fide* purchasers, or they may be exchanged at par for such coupons—such redemption and exchange to be continued on all such coupons maturing previous to April 1st, 1872: *Provided*, That parties claiming to be *bona fide* purchasers shall produce evidence sufficient to

satisfy the State Auditor that they are so in fact, and whose duty it shall be, upon the receipt of such evidence, to issue a certificate to that effect; and the Treasurer is hereby prohibited from paying or exchanging any of said coupons without such a certificate from the Auditor being presented therewith.

Sec. 4. That the collection of "special taxes" provided in 1st. "An act to re-enact and confirm certain acts of the General Assembly authorizing the issue of State bonds to and for certain railroad companies," ratified December 18th, 1868; 2d. "An act amendatory of the act to incorporate the Western North Carolina Railroad Company, ratified the 15th day of February, 1855, and of all other acts amendatory thereof," ratified January 29th, A. D. 1869; 3rd. "An act to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company to provide for the completion of said road, and to secure to the State a representation in the Company," ratified January 29th, 1869; 4th. "An act to amend an act entitled an act to amend the charter of the Western Railroad Company, ratified 21st of August, 1868," ratified February 3d, 1869; 5th. "An act to amend the charter of the Williamston and Tarboro' Railroad Company," ratified February 3d, 1869; 6th. "An act to repeal an act entitled an act to amend an ordinance of the Convention entitled an ordinance to incorporate the North Carolina Railroad Company, and to substitute the following provisions for said act," ratified February 3d, 1869, shall be and is hereby instructed to be postponed until the first day of April, A. D. 1872; and the State Treasurer is hereby directed to instruct the several sheriffs in the State accordingly.

Sec. 5. That all laws or parts of laws conflicting with or repugnant to this act are hereby repealed.

Sec. 6. That this act shall be in force from and after its ratification.

On the adoption of this substitute,
Mr. French called for the yeas and nays.

The call being sustained,

The substitute was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Candler, Carson, Crawford, Eagles, Forkner, French, Gahagan, Gilbert, Graham, Gunter, Hayes, Hendricks, Hodgin, Ingram, Justus of Henderson, Laflin, Malone, Mayo, Morrill, Morris, Price, Ragland, Reynolds, Siegrist, Simonds, Stilley, Sykes, Vestal, Vest, Welch, White, Williamson and Wilson—33.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Clayton, Ellis, Farrow, Ferebee, Franklin, Gatling, Gibson, Green, Grier, Hawkins, Hicks, High, Hinnant, Hodnett, Horney, Humphries, Hudgings, Jarvis, Kelly of Davie, Leary, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Pearson, Renfrow, Robinson, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson and Williams of Harnett—45.

The question then being on the passage of the bill on its second reading,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Boddie, Carey, Cawthorn, Crawford, Davidson, Ellis, Farror, Ferebee, Franklin, Gatling, Gibson, Green, Grier, Gunter, Hawkins, Hendricks, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Humphries, Hudgings, Jarvis, Kelly of Davie, Leary, Long of Chatham, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Pearson, Renfrow, Robinson, Reynolds, Shaver, Smith of Aleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson, Wilkie and Williams of Harnett—54.

Those who voted in the negative were,

Messrs. Candler, Carson, Clayton, Eagles, Forkner, French, Gahagan, Gilbert, Hayes, Hodgin, Ingram, Laflin, Malone, Moore of Chowan, Morrill, Morris, Painter, Price, Ragland, Siegrist, Simonds, Stilley, Sykes, Vestal, Vest, Welch, White, Williamson and Wilson—29.

On motion of Mr. Leary,

The House then adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, February 22d, 1870.

The House met pursuant to adjournment,

Mr. Malone in the Chair.

Prayer by Rev. Dr. Mason, of the city.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A bill to modify chapter 79 of the laws of 1868 and 1869. unfavorably.

Mr. Vest introduced

A bill to enable the North Western North Carolina Railroad Company to complete the first division of its road.

Laid over.

Mr. Banner introduced

A bill to authorize the Commissioners of Watauga County to levy a special tax.

Laid over.

Mr. Farrow introduced

A bill to amend section 3, chapter 120, of the Revised Code.

Laid over.

Also,

A bill to divide Hyde county into wreck districts.

Laid over.

Mr. Hodgins introduced

A bill to extend the time of the Sheriff of Rockingham county to make settlement, &c.

Passed second and third readings under suspension of the rules.

Mr. Moore, of Chowan, introduced

A bill to authorize the consolidation of the securities of the State held by the Treasurer of the University and the Treasurer of the Board of Education.

Referred to the Judiciary Committee.

A message was received from the Senate transmitting

A resolution on printing.

Adopted under suspension of the rules.

A bill to repeal a portion of first section of the amendment to the charter of the Little River Turnpike Company, was taken up.

Mr. Candler offered a proviso to the bill, which was accepted, and the bill

Passed its second and third readings.

A bill to incorporate the Onslow branch of the Wilmington and Weldon Railroad

Passed its second reading and was

Made special for Thursday next at eleven o'clock.

A Senate bill to change the rules of evidence in certain cases was

Referred to the Judiciary Committee.

Mr. Bowman asked for and obtained leave to record his vote in the negative on the passage of the Senate bill to repeal certain acts making appropriations to railroad companies; also, in the negative on the motion to amend the bill by including turnpikes.

A bill to raise Revenue was

Made special for Thursday at 11 o'clock.

A bill to lay off and establish a new county by the name of Swain was

Made special for Wednesday at eleven o'clock.

On motion of Mr. Jarvis,

The rules were suspended and

A Senate bill to repeal certain acts passed at the session of 1868 and 1869, making appropriations to railroad companies, was taken up.

Mr. Jarvis called for the previous question.

The question being "Shall the main question be now put?"

The vote was decided in the affirmative and

The bill passed its final reading by the following vote:

Those who voted in the affirmative were:

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Blair, Carey, Cawthorn, Davidson, Ellis, Farrow, Ferebee, Franklin, Gibson, Green, Grier, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hicks, High, Hinnant, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Jarvis, Kelly of Davie, Kinney, Laflin, Leary, Long of Chatham, McCanless, McMillan, Mendenhall, Moore of Alamance, Pearson, Rea, Renfrow, Robinson, Reynolds, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Strudwick, Sweat, Sykes, Thompson, Wilkie and Williams of Sampson—56.

Those who voted in the negative were,

Messrs. Bowman, Candler, Carson, Clayton, Crawford, Eagles, French, Gahagan, Gilbert, Graham, Hayes, Hilliard, Hodgin, Justus of Henderson, Justice of Rutherford, Malone, Mayo, Moore of Chowan, Morrill, Painter, Price, Ragland, Simonds, Stilley, Vestal, Vest, Welch, White, Williamson and Wilson—30.

A Senate bill to authorize the Commissioners of Jones county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Bowman, Carson, Carey, Cawthorn, Clayton, Crawford, Davidson, Farrow, Ferebee, French, Gahagan, Green, Harris of Wake, High, Humphries, Ingram, Kinney, Long of Chatham, Malone, McCanless, Moore of

Chowan, Morrill, Pearson, Price, Ragland, Rea, Robinson, Snipes, Vest, Whitley, Wilkie and Williams of Sampson—34.

Those who voted in the negative were,

Messrs. Blair, Candler, Eagles, Ellis, Franklin, Gibson, Graham, Grier, Gunter, Harris of Franklin, Hawkins, Hicks, Hinnant, Hodgin, Hodnett, Horney, Justice of Rutherford, Kelly of Davie, Mayo, McMillan, Mendenhall, Moore of Alamance, Painter, Renfrow, Reynolds, Siegrist, Smith of Alleghany, Smith of Martin, Strudwick, Thompson, Vestal and Wilson—32.

Mr. Justice gave notice that he would introduce a bill to amend the Constitution, article 5th, section 4th, and for other purposes.

A Senate bill to legalize and make valid an election held in the town of Pittsboro' in Chatham county, for municipal officers of said town,

Passed its second and third readings.

A bill to change the fees of witnesses was taken up.

On the passage of the bill on its second reading,

Mr. Vestal called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Bowman, Candler, Carson, Carey, Cawthorn, Clayton, Davidson, Ellis, Farrow, Ferebee, French, Gahagan, Gibson, Graham, Grier, Gunter, Harris of Franklin, Hawkins, Hendricks, Hicks, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Davie, Kinney, Malone, McCanless, McMillan, Mendenhall, Painter, Pearson, Ragland, Rea, Robinson, Reynolds, Shaver, Siegrist, Smith of Alleghany, Sweat, Vestal, Welch, White, Williams of Sampson and Wilson—50.

Those who voted in the negative were,

Messrs. Argo, Ashworth, Barnes, Blair, Cherry, Crawford, Franklin, Green, Harris of Wake, Hayes, Leary, Morrill, Price, Stanton, Thompson and Vest—16.

On motion of Mr. Eagles,

The House adjourned to meet again at ten o'clock, Wednesday.

WEDNESDAY, February 23d, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Mr. Williams, of Harnett, asked for and obtained leave to record his vote in the affirmative on the final vote on the bill to repeal certain acts making appropriations to Railroad Companies; Mr. Proctor in the negative; Mr. Dixon in the negative; Mr. Morris in the negative; Mr. Forkner in the negative; Mr. Seymour in the negative; Mr. Pou in the affirmative; Mr. Long, of Richmond, in the affirmative.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A bill in relation to Indian affairs, favorably.

Mr. Malone introduced

A bill to authorize the issuance of grants by the State in certain cases.

Referred to the Committee on Propositions and Grievances.

Mr. Hinnant introduced

A bill to provide for the collection of taxes by the State and by the several counties of the State, on property, polls and income.

Made special for Friday next at eleven o'clock.

Mr. Justice introduced

A bill to amend the Constitution of the State.

Referred to the Judiciary Committee.

Mr. Harris, of Franklin, introduced

A resolution in favor of the reporters.

Laid over.

Mr. Laflin moved a reconsideration of the vote by which the bill to repeal certain acts passed at the session of 1868 and 1869, making appropriations to Railroad Companies, passed its final reading.

Mr. Seymour moved to postpone the consideration of this motion till Tuesday next at eleven o'clock.

On this motion,

Mr. Seymour called the previous question.

The question being, "Shall the main question be now put?"

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The vote was decided in the affirmative, as follows:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Bowman, Candler, Carson, Cherry, Clayton, Crawford, Dixon, Eagles, Forkner, Gahagan, Graham, Hayes, Hodgin, Ingram, Justus of Hendenson, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Malone, Mayo, Moore of Chowan, Morrill, Morris, Painter, Price, Proctor, Ragland, Reynolds, Seymour, Simonds, Stanton, Sykes, Vestal, Vest, White, Wilkie and Wilson—41.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Barnes, Blair, Boddie, Cawthorn, Ellis, Gibson, Green, Hawkins, Hendricks, Hicks, Hilliard, High, Hinnant, Hodnett, Hoffman, Humphries, Jarvis, Kelly of Davie, Long of Chatham, Long of Richmond, McCanless, McMillan, Mendenhall, Moore of Alamance, Pearson, Pou, Renfrow, Robinson, Shaver, Seigrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Strudwick, Thompson, Welch, Williams of Harnett and Williams of Sampson—40.

The question being on the motion to postpone,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Bowman, Candler, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Davidson, Dixon, Eagles, Forkner, French, Gahagan, Graham, Gunter, Harris of Franklin, Hayes, Hilliard, Hodgin, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Malone, Mayo, Moore of Chowan, Morrill, Morris, Painter, Price, Proctor, Ragland, Reynolds, Seymour, Simonds, Stanton, Sweat, Sykes, Vestal, Vest, Welch, White, Wilkie and Wilson—49.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Ellis, Gibson, Green, Grier, Hawkins, Hendricks, Hicks, High, Hinnant, Hodnett, Hoffman, Humphries, Jarvis, Kelly of Davie, Long of Chatham, Long of Richmond, McCanless, McMillan, Mendenhall, Moore of Alamance, Pearson, Pou, Renfrow, Robinson, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Strudwick, Thompson, Williams of Harnett and Williams of Sampson—39.

The unfinished business of the previous day was then taken up, it being

A bill to change the fees of witnesses.

On the passage of the bill on its final reading,

Mr. Vestal called for the yeas and nays.

The call being sustained,

The bill passed its final reading by the following vote :

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Boddie, Candler, Carey, Cawthorn, Davidson, Ellis, Gahagan, Gibson, Graham, Hawkins, Hayes, Hendricks, Hicks, Hinnant Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Long of Richmond, Malone, McMillan, Mendenhall, Moore of Alamance, Morris, Pearson, Proctor, Rea, Robinson, Reynolds, Shaver, Seigrist, Simonds, Smith of Aleghany, Stanton, Sweat, Vestal, Welch, White, Wilkie, Williams of Sampson and Wilson—51.

Those who voted in the negative were,

Messrs. Ashworth, Blair, Carson, Cherry, Crawford, Eagles, Forkner, Green, Hilliard, High, Laflin, Leary, Long of Chatham, Mayo, Price, Ragland, Renfrow, Seymour, Smith of Martin, Snipes, Sykes, Thompson, Vest and Williams of Harnett—23.

Mr. Moore, from the Committee on the Judiciary, reported

A Senate bill to change the rules of evidence in certain cases, and secure the possession of land, favorably, with an amendment.

A bill to lay off and establish a new county by the name of Swain was taken up, it being a special order.

Mr. Eagles moved to indefinitely postpone the bill.

On this motion,

Mr. Painter called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Blair, Boddie, Carey, Cawthorn, Cherry, Eagles, Forkner, French, Gahagan, Hayes, High, Hinnant, Hodgin, Horney, Humphries, Hudgings, Leary, Mendenhall, Morris, Pou, Price, Proctor, Rea, Siegrist, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sweat, Thompson, Williams of Harnett and Williams of Sampson—34.

Those who voted in the negative were,

Messrs. Argo, Banner, Bowman, Candler, Carson, Clayton, Davidson, Ellis, Franklin, Gibson, Graham, Green, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hendricks, Hicks, Hodnett, Hoffman, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Malone, McCanless, Moore of Alamance, Morrill, Painter, Pearson, Renfrow, Robinson, Reynolds, Simonds, Smith of Alleghany, Strudwick, Vestal, Vest, Welch and Wilson—42.

The question being on the passage of the bill on its second reading,

Mr. Robinson called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Ashworth, Banner, Barnes, Bowman, Candler, Carson, Clayton, Crawford, Davidson, Ellis, Franklin, Gahagan, Green, Harris of Wake, Hawkins, Hendricks, Hicks, Hodnett, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Malone, Mayo, McCanless, Moore of Alamance, Painter, Robinson, Shaver, Siegrist, Simonds, Smith of Alleghany, Strudwick, Vestal, Vest, Welch, Wilkie and Wilson—40.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Cawthorn, Dixon, Eagles, Forkner, French, Gunter, Hayes, High, Hinnant, Hodgin, Humphries, Kinney, Leary, Long of Richmond, McMillan, Mendenhall, Morris, Pearson, Pou, Proctor, Rea, Reynolds, Seymour, Smith of Martin, Snipes, Stanton, Sweat, Thompson, Williams of Harnett and Williams of Sampson—32.

The bill was then made special for Friday night next at eight o'clock.

A Senate bill to protect sheriffs in the sale of lands

Passed its second and third readings.

A bill to amend an act in relation to inspectors for the city of Wilmington was made special for Thursday next at eleven o'clock.

A bill to create a lien in favor of physicians and surgeons was made special for Thursday next at twelve o'clock.

A petition in favor of G. B. Willis was made special for Thursday next at twelve and a half o'clock.

A Senate bill to change the rules of evidence in certain cases and to secure the possession of land was taken up.

The amendments offered by the Committee on the Judiciary were concurred in, and

The bill passed its second and third readings.

A message was received from the Senate transmitting for consideration of the House

A bill to incorporate the Peoples' Building and Loan Association, of Raleigh.

Referred to the Committee on Corporations;

A resolution in relation to clerks;

A bill to empower the Commissioners of Onslow county to levy a special tax;

A bill to authorize the Commissioners of Sampson county to levy a special tax;

A bill for the relief of C. L. Allred, tax collector for the county of Moore;

A bill to repeal an act;

A bill to allow the sheriff of Surry county to collect arrears of taxes;

A bill to amend the charter of the Louisburg branch of the Wilmington and Weldon Railroad;

A bill to amend the charter of incorporation of the town of Pittsboro', in Chatham county;

A bill to empower the Commissioners of Richmond county to levy a special tax;

A bill to amend the charter of the town of Greenville;

A bill to incorporate the town of Black Creek, in Wilson county;

A bill to amend an act incorporating the town of Mount Airy;

A bill to authorize the sheriff of Burke county to collect arrears of taxes;

A bill to amend chapter 270 of the laws of 1868 and 1869; and

A bill to amend chapter 33 of the laws of 1868 and 1869.

A message was received from the Senate transmitting amendments to

A bill in favor of Hugh B. Guthrie;

Also,

A message transmitting amendments to

A bill to allow the Commissioners of Montgomery county to levy a special tax;

Also,

A message transmitting amendments to

A bill to lay out and construct a road through the counties of Alleghany and Ashe, concurred in;

Also,

A message transmitting an amendment to a bill to allow Harris G. Terry, former Sheriff of Richmond county, to collect arrears of taxes;

Also,

A message transmitting amendments to a bill declaratory of the cases to which an act concerning the settlement of the estates of deceased persons, is applicable;

Referred to the Judiciary Committee.

Mr. Welch moved that when the House adjourn, it do so to meet again at ten o'clock, Thursday.

The motion prevailed.

On motion of Mr. Vest,

The rules were suspended and

A bill to enable the North-Western North Carolina Railroad Company to complete the first division of its road was taken up.

Pending which,

On motion of Mr. Leary,

The House adjourned to meet again at ten o'clock, Thursday.

THURSDAY, February 24th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Morris, of the House.

Leave of absence was granted Mr. Williamson indefinitely, on account of illness.

Mr. French introduced

A resolution supplemental to a resolution on printing.

Laid over.

Mr. Hinnant introduced

A resolution to enable the Enrolling Clerk and Committee to comple their business.

Adopted under suspension of the rules.

Mr. Long, of Chatham, introduced

A bill to amend the Constitution of the State.

Referred to the Committee on Finance;

Mr. Ragland introduced

A bill to exempt from taxation certain articles.

Referred to the Judiciary Committee;

Mr. McCanless introduced

A bill for the relief of the Sheriff of Stokes county.

Laid over;

Mr. Sykes introduced

A bill to provide revenue for public schools.

Referred to the Committee on Education;

On motion of Mr. French,

The rules were suspended and

A resolution supplemental to a resolution on printing was taken up.

Mr. Jarvis moved to lay the resolution on the table.

The motion was rejected.

Mr. Vestal moved to amend the resolution by striking out the figures "25," and inserting in lieu thereof the figures "14."

The amendment was accepted and

The resolution was adopted.

A motion to reconsider the vote by which the resolution was adopted was made and laid on the table.

A bill to incorporate the Onslow Branch of the Wilmington and Weldon Railroad was taken up, the same being a special order.

Mr. McMillan moved to amend by inserting after the words "Duplin county" in fifth section, the words "S. L. Fremont,

G. Z. French, Roger Moore and E. D. Hall, of New Hanover county."

The amendment was adopted.

Mr. McMillan moved to amend further by inserting after the fourth section the words: "And when one hundred thousand dollars shall have been subscribed and two per cent. of the same paid in, the President and Directors shall proceed to construct said railroad."

The amendment was adopted.

Mr. Welch offered the following as a proviso to section eight of the bill:

"*Provided*, That no title to said lands shall pass to the said company until the lands have been thoroughly drained."

On the adoption of this amendment,

Mr. Welch called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Boddie, Candler, Carson, Carey, Farrow, Forkner, Franklin, Gibson, Green, Gunter, Harris of Franklin, Hawkins, Hayes, Hendricks, Hicks, Hodgin, Hodnett, Hoffman, Humphries, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Long of Chatham, Mayo, McCanless, Moore of Alamance, Nicholson, Painter, Rea, Robinson, Reynolds, Siegrist, Simonds, Smith of Alleghany, Snipes, Strudwick, Sweat, Sykes, Vestal, Vest, Welch and Wilson—44.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Banner, Barnes, Blair, Bowman, Cawthorn, Cherry, Crawford, Dixon, Eagles, Ellis, Gahagan, Gatling, Graham, Hinnant, Hudgings, Kinney, Leary, Long of Richmond, Malone, McMillan, Mendenhall, Moore of Chowan, Morrill, Morris, Pearson, Pou, Price, Ragland, Seymour, Smith of Martin, Smith of Wayne, Stanton,

Thompson, Wilkie, Williams of Harnett and Williams of Sampson—38.

The bill then passed its final reading.

A motion to reconsider the vote by which the bill passed its final reading was made and laid on the table.

Mr. Leary, from the Committee on Corporations, reported

A Senate bill to incorporate the Peoples' Building and Loan Association, of the city of Raleigh, favorably.

Mr. Moore, of Chowan, introduced

A bill to authorize the Commissioners of Union county to levy a special tax.

Laid over.

A bill to amend an act concerning inspectors for the city of Wilmington was indefinitely postponed.

The House concurred in Senate amendments to

A bill in relation to the settlement of the estates of deceased persons.

A bill to regulate the manner of applying for pardons and

A bill in relation to official bonds

Passed their second and third readings.

Mr. Harris, of Franklin, moved a reconsideration of the vote by which the House agreed to postpone till next Tuesday, at eleven o'clock, the motion to reconsider the vote on the final passage of the Senate bill to repeal certain acts passed at the session of 1868 and 1869, making appropriations to railroad companies.

Mr. French moved to adjourn.

On this motion,

Mr. Blair called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Candler, Crawford, Forkner, French, Gahagan, Harris of Wake, Hilliard, Hodgin, Hoffman, Horney, Kelly of Moore, Laflin, Malone, Morrill, Seymour, Smith of Martin, Vestal, Vest, Welch and Wilson—20.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Bowman, Cawthorn, Ellis, Franklin, Gibson, Graham, Green, Harris of Franklin, Hawkins, Hendricks, Hicks, Hinnant, Humphries, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Pou, Renfrow, Shaver, Siegrist, Smith of Aleghany, Smith of Wayne, Stanton, Strudwick, Thompson, Williams of Harnett and Williams of Sampson—45.

A message was received from his Excellency, the Governor, transmitting

A resolution, passed by the Board of Education, in relation to certain bonds purchased by the Board of Education.

Ordered printed and sent to the Senate.

On motion of Mr. Seymour,

The House adjourned, to meet again at ten o'clock, Friday.

FRIDAY, February 25th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Long, of the House.

Leave of absence was granted to Mr. Horney, till Monday next; to Mr. Stanton, till Tuesday next; to Mr. Long, of Chatham, till Monday next; to Mr. Argo, for one week from Saturday next; to Mr. McMillan, till Tuesday next; to Mr. Moore, of Alamance, till Monday next.

Mr. Vest introduced

A resolution concerning leaves of absence.

Laid over.

Mr. Justice introduced

A bill to amend section 83, chapter 70, of the Revised Code;

Also,

A bill to amend an act to organize the militia of North Carolina.

Referred to the Committee on Military Affairs.

Mr. Morris introduced,

A bill in favor of G. B. Willis.

Same reference.

A bill to enable the North Western North Carolina Railroad company to complete the first division of its road was

Referred to the Judiciary Committee with instructions to report to-morrow.

A bill to allow Probate Judges to prove deeds

Passed its second and third readings.

A bill to change the times of holding the terms of the several Superior Courts of the counties comprising the Third Judicial District

Passed its second and third readings.

A Senate bill to consolidate the acts in relation to the incorporation of the town of Lenoir

Passed its second and third readings.

A bill to divide Hyde county into wreck districts

Passed its second and third readings.

The unfinished business of the previous day was taken up, it being

A motion to reconsider the motion by which the House agreed to postpone till Tuesday next, at eleven o'clock, a motion to reconsider the vote by which a Senate bill to repeal certain acts passed at the session of 1868 and 1869, making railroad appropriations, passed its final reading.

On this motion,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Bod-

die, Carey, Cawthorn, Davidson, Ellis, Franklin, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett, Hoffman, Humphries, Hudgins, Jarvis, Kelly of Davie, Kinney, Leary, Long of Chatham, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Pearson, Pou, Renfrow, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Thompson, Williams of Harnett and Williams of Sampson—48.

Those who voted in the negative were,

Messrs. Candler, Carson, Cherry, Clayton, Crawford, Dixon, Downing, Eagles, Forkner, French, Gahagan, Graham, Gunter, Hayes, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Malone, Moore of Chowan, Morrill, Morris, Proctor, Ragland, Reynolds, Seymour, Stevens, Sweat, Sykes, Vestal, Vest, Welch, Wilkie and Wilson—33.

The question then recurring on the motion to postpone the motion to reconsider,

Mr. Pou moved to lay the subject on the table.

On this motion,

Mr. Pou called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affimative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Blair, Boddie, Carey, Cawthorn, Davidson, Ellis, Franklin, Gatling, Gibson, Green, Harris of Franklin, Harris of Wake, Hawkins, Hendricks, Hicks, High, Hinnant, Hodnett, Hoffman, Humphries, Hudgings, Jarvis, Kelly of Davie, Kinney, Long of Chatham, Long of Richmond, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Pearson, Pou, Renfrow, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Strudwick, Thompson, Williams of Harnett and Williams of Sampson—48.

Those who voted in the negative were,

Messrs. Banner, Candler, Carson, Cherry, Clayton, Crawford,

Dixon, Eagles, Forkner, French, Gahagan, Graham, Hayes, Ingram, Justus of Henderson, Kelly of Moore, Laflin, Malone, Mayo, Moore of Chowan, Morrill, Morris, Proctor, Robinson, Reynolds, Stevens, Skyes, Vestal, Vest, Welch and Wilson—31.

A bill to provide for the collection of taxes by the State and by the several counties of the State, was taken up.

Mr. Welch moved to amend the third section by striking out the word "twentieth," and inserting the word "thirtieth."

On the adoption of this amendment,

Mr. Welch called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Blair, Boddie, Candler, Carson, Carey, Cawthorn, Cherry, Clayton, Davidson, Eagles, Ellis, Forkner, Gibson, Green, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hicks, High, Hodnett, Hoffman, Humphries, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kinney, Laflin, Leary, Long of Richmond, Mayo, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Morrill, Morris, Nicholson, Painter, Rea, Renfrow, Robinson, Reynolds, Seymour, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Sykes, Thompson, Vestal, Vest, Welch, Williams of Harnett, Williams of Sampson and Wilson—64.

Those who voted in the negative were,

Messrs. Barnes, Crawford, Gunter, Hendricks, Hinnant, Hodgin, Kelly of Moore, Long of Chatham, McCanless, Pearson and Proctor—11.

Mr. Welch moved to amend section 3 further, by adding the following proviso, viz:

"*Provided*, That ten days after the reception of a copy of this act shall be allowed to the commissioners of the several counties of the State to give said notice for this year."

The amendment was adopted.

Mr. Welch moved to amend the 4th section by striking out all after word the "township" in line 2, and inserting the words "within ten days after they have been notified by the county commissioners, as provided for in section 3 of this act."

The amendment was adopted.

Mr. Ashworth moved to amend section 5 of the bill by striking out the words "during the first twenty working days in the month of April," and inserting the words "within ten days after due notice has been given."

The amendment was adopted.

Mr. Hodgin moved to amend section 9th of the bill by striking out the proviso to subdivision fifth.

The amendment was adopted.

Mr. Moore, of Chowan, moved to amend section 11th of the bill by striking out the word "two," in line 20th, and inserting in lieu thereof the word "one."

Mr. Leary moved to amend the amendment by striking out "one hundred" and inserting in lieu thereof the word "fifty."

On the adoption of this amendment,

Mr. Proctor called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Carey, French, Harris of Franklin, Hayes, Jarvis, Leary, Painter, Renfrow, Strudwick, Sweat, Thompson and Wilson—12.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Banner, Barnes, Boddie, Candler, Carson, Cherry, Clayton, Dixon, Eagles, Ellis, Forkner, Franklin, Gahagan, Gibson, Gunter, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Hoffman, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Laflin, Long of Chatham, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Pearson, Proctor, Robinson,

Reynolds, Shaver, Siegrist, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Stevens, Vestal, Vest, Welch, Williams of Harnett and Williams of Sampson —58.

The question then recurring on the amendment offered by Mr. Moore, of Chowan,

Mr. Moore called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Blair, Carson, Cawthorn, Dixon, Eagles, Forkner, French, Green, Harris of Franklin, Harris of Wake, Hayes, Hoffman, Hudgings, Ingram, Jarvis, Kinney, Laflin, Mendenhall, Moore of Chowan, Reynolds, Snipes, Strudwick, Thompson and Wilson—25.

Those who voted in the negative were,

Messrs. Armstrong, Banner, Barnes, Boddie, Candler, Cherry, Clayton, Ellis, Franklin, Gahagan, Gibson, Graham, Grier, Gunter, Hawkins, Hendricks, Hicks, High, Hinnant, Hodnett, Humphries, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, McMillan, Moore of Alamance, Nicholson, Painter, Proctor, Renfrow, Robinson, Shaver, Siegrist, Simonds, Smith of Alleghany, Stanton, Stevens, Vestal, Vest, Welch, Williams of Harnett and Williams of Sampson—48.

Mr. French moved to amend subdivision 2 of same section, by inserting after the word "academies" the words "the Masonic fraternity."

The amendment was adopted.

Mr. Williams, of Harnett, moved to amend by striking out in subdivision 5, section 11, the word "two," and inserting in lieu thereof the word "three."

Pending which,

A message was received from the Senate transmitting

A bill to authorize the Williamston and Tarboro' Railroad Company to issue first mortgage bonds.

Referred to the Judiciary Committee;

A bill to repeal and amend certain sections of chapter 270 of the laws of 1868 and 1869.

Same reference;

A bill to incorporate the town of Bakersville, in Mitchell county;

A bill to incorporate the town of Littleton, in Halifax county; and

A bill to repeal the law concerning fences in certain townships.

Referred to the Judiciary Committee.

On motion of Mr. French,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment,

Mr. Vest in the Chair.

On motion of Mr. French,

The House adjourned to meet again at ten o'clock Saturday.

SATURDAY, February 26th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Long, of the House.

Leave of absence was granted Mr. Green from Monday next till the following Thursday;

To Mr. Shaver till Wednesday next.

Mr. Foster introduced

A resolution in favor of the Sheriff of Bladen county.

Laid over.

Mr. Hinnant, from the Committee on Finance, reported

A bill to empower the Commissioners of Currituck county to levy a special tax, favorably, with a substitute.

Mr. Seymour, from the Committee on the Judiciary, reported

A bill to enable the North Western North Carolina Railroad Company to complete the first division of its road, favorably.

Made special for Monday next at eleven o'clock.

A resolution in favor of J. C. Cline

Passed its several readings.

Mr. Sinclair asked for and obtained leave to record his vote in the affirmative on the motion to table a motion to postpone till Tuesday, the 1st proximo, a motion to reconsider the vote by which a Senate bill to repeal certain acts passed at the session of 1868 and 1869, making appropriations to Railroad Companies, passed its final reading.

Mr. French, from the Committee on Counties and Townships, reported favorably on the surveys of Wake and Washington counties.

A bill to empower the Commissioners of Currituck county to levy a special tax was taken up.

The substitute offered by the Committee on Finance was adopted, and the bill

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Barnes, Boddie, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Ellington, Farrow, Ferebee, Forkner, French, Gatling, Graham, Green, Hayes, Hendricks, Hilliard, Hodgin, Hoffman, Humphries, Hudgings, Ingram, Kelly of Moore, Kinney, Leary,

Long of Richmond, McCanless, Pearson, Rea, Robinson, Reynolds, Sinclair, Snipes, Stevens, Sykes, Thompson, Vest, Williams of Harnett and Williams of Sampson—44.

Those who voted in the negative were,

Messrs. Candler, Eagles, Gibson, Grier, Gunter, Hawkins, Hodnett, Justus of Henderson, Mayo, Nicholson, Painter, Shaver, Siegrist, Smith of Wayne, Strudwick, Vestal and Wilson—17.

The House concurred in the Senate amendment to a bill to allow Harris G. Terry, former Sheriff of Richmond county, to collect arrears of taxes.

A Senate bill to incorporate the Peoples' Building and Loan Association of Raleigh

Passed its second and third readings.

Mr. Ferebee introduced

A bill to authorize the Commissioners of Camden county to levy a special tax.

Laid over.

A Senate bill to amend an act to incorporate the town of Mount Airy

Passed its second and third readings.

A bill to extend the corporate limits of the town of Elizabeth City, in Pasquotank county,

Passed its second and third readings.

Mr. Leary, from the Committee on Corporations, reported

A Senate bill to incorporate the Centre Iron Company, favorably.

Passed second and third readings under suspension of the rules.

A bill to appoint Commissioners to lay off and establish the dividing line between the counties of Hertford and Northampton

Passed its second and third readings.

Mr. Stevens introduced

A bill in relation to trades and professions.

Referred to the Finance Committee.

A bill to authorize the Commissioners of Watauga county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Barnes, Blair, Carson, Carey, Cawthorn, Cherry, Davidson, Dixon, Ellis, Farrow, Ferebee, Forkner, Franklin, French, Green, Grier, Gunter, Harris of Wake, Hayes, Hendricks, Hicks, Hilliard, Hoffman, Hudgings, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Richmond, Mayo, McCanless, Morrill Morris, Pearson, Rea, Robinson, Siegrist, Simons, Snipes, Stevens, Thompson, Vest, Williams of Harnett, Williams of Sampson and Wilson—48.

Those who voted in the negative were,

Messrs. Candler, Clayton, Eagles, Gibson, Hawkins, Hodnett, Nicholson, Painter, Pou, Smith of Alleghany, Smith of Wayne and Vestal—12.

Mr. Proctor introduced

A bill to establish the North Carolina Mutual Aid Association.

Laid over.

A bill for the relief of E. D. Davis

Passed its second and third readings.

A bill to establish a new county by the name of Swain was made special for Monday next at ten and a half o'clock.

A bill for the relief of the sheriff of Stokes county

Passed its second and third readings.

A Senate bill to allow the sheriff of Surry county to collect arrears of taxes

Passed its second and third readings.

Mr. Justice introduced

A bill to amend the Mechanics and Laborers' Lien Law.

Laid over.

A bill to authorize the Commissioners of Rutherford county to levy a special tax was

Laid on the table.

A bill to authorize the Commissioners of Washington county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Boddie, Carson, Carey, Cawthorn, Cherry, Crawford, Davidson, Dixon, Farrow, Ferebee, Forkner, Foster, Franklin, French, Graham, Green, Grier, Harris of Wake, Hayes, Hoffman, Humphries, Hudgings, Kelly of Moore, Kinney, Leary, Long of Richmond, Malone, McCanless, Moore of Chowan, Morris, Pearson, Proctor, Rea, Seymour, Sinclair, Simonds, Stevens, Thompson, Vest, Williams of Sampson and Wilson—44.

Those who voted in the negative were,

Messrs. Blair, Candler, Clayton, Eagles, Ellis, Gatling, Gibson, Gunter, Hawkins, Hicks, Hinnant, Hodgin, Hodnett, Justus of Henderson, Mayo, Mendenhall, Nicholson, Painter, Renfrow, Siegrist Smith of Martin, Smith of Wayne and Williams of Harnett—23.

A bill to incorporate the Excelsior Planting Company

Passed its second and third readings.

A Senate resolution in favor of Tucker & Co. was

Adopted.

Mr. Jarvis moved to suspend the rules for the purpose of taking up

A Senate resolution authorizing the Treasurer to pay M. A. Bledsoe.

On this motion

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Barnes, Boddie, Clayton, Crawford, Dixon, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Harris of Wake, Hawkins, Hicks, Hinnant, Humphries, Ingram, Jarvis, Kelly of Davie, Malone, Mayo, McCanless, Nicholson, Painter, Pearson, Pou, Seymour, Smith of Martin,

Smith of Wayne, Welch, Williams of Harnett and Williams of Sampson—35.

Those who voted in the negative were,

Messrs. Ashworth, Blair, Candler, Carson, Cawthorn, Cherry, Eagles, Forkner, Graham, Gunter, Hayes, Hendricks, Hodnett, Hudgings, Justus of Henderson, Kelly of Moore, Kinney, Leary, Long of Richmond, Mendenhall, Moore of Chowan, Morris, Proctor, Rea, Renfrow, Siegrist, Sinclair, Simonds, Smith of Alleghany, Stevens, Thompson, Vest and Wilson —33.

Mr. Justice moved to lay the resolution on the table.

On this motion,

Mr. Justice called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner Blair, Carson, Carey, Cawthorn, Crawford, Eagles, Forkner, Foster, Graham, Gunter, Hendricks, Hodnett, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Richmond, Mendenhall, Morris, Pearson, Proctor, Rea, Renfrow, Reynolds, Siegrist, Smith of Alleghany, Stevens, Vest and Wilson—33.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Candler, Clayton, Davidson, Dixon, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Harris of Wake, Hawkins, High, Hinnant, Hodgin, Hoffman, Humphries, Ingram, Jarvis, Kelly of Davie, Malone, McCanless, Nicholson, Painter, Robinson, Seymour, Smith of Martin, Smith of Wayne, Sykes, Thompson, Vestal, Welch, Williams of Harnett and Williams of Sampson—36.

Mr. Foster moved to indefinitely postpone the resolution.

On this motion

Mr. Foster called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnes, Blair, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Eagles, Ellington, Farrow, Forkner, Foster, Graham, Gunter, Harris of Wake, Hendricks, Hilliard, Hodgin, Hodnett, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Richmond, Mayo, McCanless, Mendenhall, Moring, Morrill, Morris, Pearson, Proctor, Rea, Renfrow, Reynolds, Seymour, Siegrist, Smith of Alleghany, Smith of Martin, Snipes, Stevens, Sweat, Vestal, Vest, Welch and Wilson—52.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Clayton, Davidson, Dixon, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, Hinnant, Humphries, Jarvis, Malone, Nicholson, Painter, Pou, Shaver, Smith of Wayne, Thompson, Williams of Harnett and Williams of Sampson—23.

A motion to reconsider the vote just taken was made and tabled.

A message was received from the Senate transmitting

A bill to authorize the Commissioners of Northampton county to levy a special tax.

Laid over.

On motion of Mr. Leary,

The House then adjourned to meet again at ten o'clock, Monday.

MONDAY, February 28th, 1870.

The House met pursuant to adjournment,

Mr. French in the Chair.

Prayer by Rev. Mr. Atkinson, of the city.

Mr. Robinson asked for and obtained leave to record his

vote in the negative on the vote by which a Senate resolution in favor of M. A. Bledsoe, was indefinitely postponed; Mr. Sinclair, also, in the affirmative.

Mr. Ames asked for and obtained leave to record his vote in the negative on the final vote on the Senate bill to repeal Railroad Appropriations, &c.

Leave of absence was granted Mr. Price for ten days; to Mr. Blair, for one week; to Mr. High, for two weeks; to Mr. Davidson, from Wednesday next till the following Monday; and to Mr. Strudwick, till Saturday.

Mr. Ashworth introduced

A bill to amend the several militia laws of the State.

Mr. Barnes introduced

A bill to require a schedule for the personal property exemption.

Referred to the Committee on Finance.

Mr. Hicks introduced

A bill to incorporate the Iron Company.

Referred to the Committee on Corporations.

Mr. Malone introduced

A bill to make stealing fences a larceny.

Referred to the Judiciary Committee.

Mr. Welch introduced

A bill for the relief of S. Whitaker, of Cherokee county.

Referred to the Committee on Claims.

On motion of Mr. Ashworth, the rules were suspended and

A bill to amend the several militia laws of the State was taken up.

Mr. Seymour offered a substitute for the third section of the bill.

The same was adopted.

On the passage of the bill on its second reading,

Mr. Durham called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnes, Carson, Carey, Crawford, Dixon, Downing, Eagles, Forkner, Franklin, French, Gahagan, Hendricks, Hodgin, Hoffman, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Richmond, Mayo, McCanless, Morrill, Morris, Proctor, Renfrow, Reynolds, Seymour, Siegrist, Sinclair, Smith of Martin, Stevens, Sweat, Sykes, Vestal, Vest and Wilson—42.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Grier, Gunter, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Jarvis, Justus of Henderson, Kelly of Davie, Malone, Nicholson, Painter, Pou, Robinson, Smith of Alleghany, Smith of Wayne, Thompson, Welch and Williams of Sampson—31.

The bill then passed its final reading.

A bill to provide for the collection of taxes by the State and by the several counties of the State on property, polls and income was taken up, the same being the unfinished business.

The question recurring on the motion to amend section 11 of the bill by striking out in line 20 the word "two" and inserting "three,"

Mr. Williams, of Harnett, called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Boddie, Carson, Carey, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gahagan, Gatling, Gibson, Grier, Gunter, Hawkins, Hendricks, Hicks, Hinnant, Hodnett, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Leary, McCanless, Nicholson, Painter, Proctor, Ragland, Renfrow, Robinson, Siegrist, Sinclair, Smith of Alleghany, Smith of Wayne, Welch and Williams of Harnett—43.

Those who voted in the negative were,

Messrs. Ames, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, French, Graham, Hodgin, Hoffman,

Justice of Rutherford, Mayo, Mendenhall, Morrill, Morris, Pearson, Reynolds, Seymour, Simonds, Snipes, Stevens, Sweat, Sykes, Thompson, Vestal, Vest, Wilkie, Williams of Sampson and Wilson—31.

Mr. Hinnant moved to amend section 14 by striking out in line four the word "first," and inserting the word "last."

The amendment was adopted.

Mr. Durham moved to amend by striking out in line four, section 17, the words "in writing;" also, by striking out all after the word "question," in line 7, to the word "if," in line 8, same section.

The amendments were adopted.

Mr. Hinnant moved to amend section 20 by striking out the word "three," in line 2, and inserting the word "two;" also, by striking out the entire eighth line; and by striking out the word "third" in line 9, and inserting the word "other."

The amendments were adopted.

Mr. Hinnant offered two addition sections to be titled "section 21" and "section 22," making the present section 21 appear as section 23.

The amendments were adopted.

Mr. Hinnant offered an additional section to section 25.

The amendment was adopted.

Mr. Moore, of Chowan, offered a proviso to the same section, to come in after the word "payment."

The amendment was adopted.

Mr. Foster offered an addition section to the section as amended.

The amendment was adopted.

Mr. Hodgin moved to amend section 27, by striking out all after the word "sheriff," in line first, down to the word "and," in line three, and inserting the following words, "shall pay over once a month all the State taxes he may have in his hands."

The amendment was adopted.

Mr. Hinnant moved to amend section 28, by inserting after the word "judge," the words "shall enter the same."

The amendment was adopted.

Mr. Hinnant offered an additional section, to be titled "section 33."

The amendment was adopted.

Mr. Hinnant moved to amend section 34, by striking out "fifteenth" in line first, and inserting "first;" also by striking out "an," in line second, and inserting "a duplicate;" also by inserting the word "all" after the word "of" in line second; also by striking out "he shall be allowed to," in line five, and inserting "the Auditor shall."

The amendments were adopted in order.

Mr. Moore, of Chowan, moved to amend the same section, line first, by striking out the word "October" and inserting the word "December."

The amendment was adopted.

Mr. Hinnant offered a substitute for section 35.

The amendment was adopted.

Mr. French moved to amend section 36 by striking out the word "January" and inserting "March."

The amendment was adopted.

Mr. French moved to amend section thirty-six by striking out "August" and inserting "September."

The amendment was adopted.

The bill then passed its second reading, was

Ordered printed, and

Made special for Wednesday next at ten and a half o'clock.

A bill to raise revenue was

Made special for Tuesday at eleven o'clock.

A bill to enable the North Western North Carolina Railroad Company to complete the first division of its road was

Made special for Tuesday at ten and a half o'clock.

The following protest was presented by Mr. French, in behalf of the subscribers thereto, and the same was ordered to be spread upon the journal:

PROTEST.

Whereas, An act entitled "An act to repeal certain acts passed at the session of 1868 and 1869, making appropriations to Railroad Companies," has passed this House, the undersigned deem it their duty to enter this, their solemn protest, for the following reasons:

If the bonds affected by the act are unconstitutional, as is claimed by the advocates of the measure, there is no necessity for repeal, for those aggrieved have their redress in the courts.

If constitutional, the bonds are recognized, legitimate certificates of indebtedness of the State, and this act, passing without any provision for the protection of innocent holders of bonds whose value is destroyed by it, we consider as nothing less than disgraceful repudiation. And as it has been shown that four out of five of the Railroad Companies to whom these bonds have been issued, have shown or are prepared to show, that they yet have the bonds on hand, or have realized a reasonable amount from those sold, we consider it unjust to the people of those sections through which the four roads run, as it is in effect punishing them for the supposed faults of the officers of one Railroad Company. For it must be acknowlged that after this act of repudiation, it will be many years before our credit can be restored, so as to get aid to complete our unfinished railroads.

We believe that under laws lately passed, the "special tax" bonds could be nearly all called back into the Treasury and retained there till, by our providing for the interest on our old debt, our credit would have been restored, so that they could have been gradually issued and a fair price obtained, thereby securing the great desideratum, a completion of our railroad lines.

We believe that if the officers of the Western Division of the Western North Carolina Railroad Company are swindlers, as is charged, this bill will give them an opportunity to swin-

dle to a much greater extent than they could otherwise ; for if the bonds have been sold or hypthecated, after the passage of this act they get them back at merely nominal prices and return them to their companies, pocketing the funds they have previously realized on them.

We believe that there is no "relief for the people," as is pretended in the measure, but, on the contrary, hard, rank oppression; and that acts offered as substitutes, which were rejected by the majority, would have given both relief for the present and protection and prosperity in the future.

GEO. Z. FRENCH,
W. H. MALONE,
B. W. MORRIS,
B. D. MORRILL,
JAS. M. JUSTICE,
W. AMES,
W. D. JUSTUS,
J. P. VEST,
W. G. CANDLER,
S. C. WILSON,
GEO. W. GAHAGAN,
HUGH DOWNING,
A. W. STEVENS.

On motion of Mr. Leary,

The House adjourned, to meet again at ten o'clock, Tuesday.

TUESDAY, March 1st, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the chair.

Prayer by Rev. Dr. Mason, of the city.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A bill to authorize the issuance of grants by the State in certain cases, favorably.

Mr. French, from the Committee on Counties and Townships, reported

A bill concerning townships in the county of Cumberland, favorably, with a substitute.

Mr. Painter introduced

A bill to amend an act relative to the Western Turnpike Road, leading from Asheville to Murphy.

Referred to the Committee on Counties and Townships.

Mr. Leary introduced

A resolution to allow the Commissioners of Cumberland county to use the State Arsenal, located in the town of Fayetteville, for a school house.

Adopted, under a suspension of the rules.

A bill to amend section 3, chapter 120, of the Revised Code

Passed its second and third readings.

A bill to authorize the Commissioners of Northampton county to levy a special tax

Passed its second reading by the following vote.

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnes, Carson, Carey, Cawthorn, Cherry, Clayton, Dixon, Downing, Farrow, Ferebee, Forkner, French, Graham, Harris of Wake, Hoffman, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, McCanless, Morris, Pearson, Ragland, Reynolds, Seymour, Sinclair, Simonds, Snipes, Stevens, Sykes, Thompson, Vest, Wilkie, Williams of Sampson and Wilson—42.

Those who voted in the negative were,

Messrs. Candler, Ellis, Foster, Gibson, Gunter, Harris of Franklin, Hawkins, Hendricks, Hicks, Hodnett, Horney, McMillan, Nicholson, Painter, Pou, Renfrow, Robinson, Sie-

grist, Smith of Alleghany, Smith of Martin, Vestal and Williams of Harnett—22.

Mr. French introduced

A bill to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete their road, and to authorize the return of State bonds to the Treasury.

Referred to the Committee on Internal Improvements.

Mr. French introduced

A bill concerning the settlement of State taxes.

Laid over.

Mr. Grier introduced

A bill to incorporate the Policy Holders' Life and Tontine Assurance Company of the South.

Referred to the Committee on Corporations.

A bill to enable the North Western North Carolina Railroad Company to complete the first division of its road was taken up.

Mr. Pou offered the following as a proviso to section first, viz:

"*Provided*, That no State bonds shall be issued to the North Western North Carolina Railroad Company."

The bill was then referred to the Judiciary Committee and made special for Wednesday at eleven o'clock.

Mr. Ames introduced

A bill to authorize E. F. Cox, Sheriff of Lenoir county, to collect arrears of taxes.

Laid over.

Mr. Hicks introduced

A bill for the benefit of Wm. Tipton, of Clay county.

Referred to the Committee on Finance.

Mr. Nicholson, from the Committee on Corporations, reported

A bill to incorporate the Policy Holders' Life and Tontine Assurance Company of the South, favorably.

A message was received from the Senate transmitting for consideration of the House,

A bill concerning elections and registration in the year 1870.

Ordered printed and made special for Friday next at ten and a half o'clock;

A bill to amend chapter 270 of the laws passed at the session of 1868 and 1869, concerning the powers and duties of State officers.

Referred to the Judiciary Committee and made special for Wednesday at eleven o'clock;

A bill to amend the charter of the town of Franklinton;

A bill to incorporate the Louisburg Co-operative Loan and Building Association;

A bill for the relief of the Sheriff of Granville county;

A bill to authorize the Commissioners of Wilkes county to levy a special tax;

A bill to incorporate Salem Lodge, No. 289, A. Y. M.;

A bill to incorporate Rockford Lodge, A. Y. M; and

A bill to charter the Shingleman's Bank of Plymouth.

A bill to raise revenue was taken up, the same being a special order.

Mr. Smith, of Alleghany, moved to amend the 3d section of the bill by striking out the words: "to pay the interest on the public debt."

On this amendment,

Mr. Smith called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Boddie, Candler, Cawthorn, Clayton, Davis, Davidson, Durham, Ellis, Ferebee, Foster, Gatling, Gibson, Grier, Hawkins, Hendricks, Hicks, Hodnett, Humphries, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Long of Richmond, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pearson, Pou, Robinson, Siegrist, Smith of Alleghany, Smith of Martin, Smith

of Wayne, Sykes, Thompson, Williams of Harnett and Williams of Sampson—41.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Carey, Dixon, Downing, Eagles, Forkner, French, Gahagan, Harris of Wake, Hodgin, Hoffman, Hudgings, Kelly of Moore, Leary, Mayo, McCanless, Morrill, Morris, Seymour, Stevens, Vestal, Wilkie and Wilson—24.

Messrs. Leary and Vestal asked for and obtained leave to record their votes in the negative on the amendment just adopted.

Mr. French moved to amend section 3, by striking out in line 3, the word "and" and inserting the words "after those expenses and appropriations are paid, if any funds are left they are to be applied to the payment of interest on State bonds issued prior to 1868."

Mr. Smith, of Alleghany, moved to amend the amendment by striking out all after the word "applied," and inserting the words "to reduce the tax for 1871."

On the adoption of this amendment,

Mr. Smith, of Alleghany, called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Boddie, Clayton, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gibson, Grier, Hawkins, Hodnett, Humphries, Jarvis, Kelly of Davie, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Smith of Alleghany, Smith of Wayne, Thompson, Williams of Harnett and Williams of Sampson—26.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Candler, Carson, Carey, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Gunter, Harris of Wake, Hodgin, Hoffman, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Richmond, Mayo, McCanless,

Morris, Pearson, Pou, Proctor, Ragland, Renfrow, Reynolds, Siegrist, Snipes, Sweat, Sykes, Vestal and Wilson—42.

The question then recurring on the amendment offered by Mr. French,

Mr. French called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Dixon, Eagles, French, Gahagan, Hodgin, Hoffman, Leary, Mayo, Pou, Proctor, Renfrow and Reynolds —13.

Those who voted in the negative were,

Messrs. Ames, Banner, Barnes, Candler, Carson, Clayton, Davidson, Downing, Durham, Ellis, Farrow, Ferebee, Forkner, Foster, Franklin, Gibson, Grier, Gunter, Harris of Wake, Hawkins, Hodnett, Humphries, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelley of Davie, Kelly of Moore, Kinney, Laflin, Long of Richmond, Malone, McCanless, McMillan, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Pearson, Ragland, Seymour, Siegrist, Smith of Alleghany, Smith of Wayne, Snipes, Stevens, Sweat, Sykes, Thompson, Wilkie, Williams of Harnett and Wilson—52.

Mr. Justice moved to amend by striking out in line first, section 1, class 1st, the word "thirty" and inserting the word "twenty."

On the adoption of this amendment,

Mr. Justice called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Banner, Boddie, Candler, Carey, Cawthorn, Clayton, Crawford, Davis, Davidson, Dixon, Downing, Durham, Ellis, Farrow, Ferebee, Gibson, Gunter, Hawkins, Hendricks, Hicks, Hodnett, Humphries, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Long of Richmond, Malone, McCanless, McMillan,

Moore of Alamance, Nicholson, Painter, Pearson, Pou, Proctor, Ragland, Robinson, Reynolds, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Sykes, Thompson, Vestal, Vest, Welch and Williams of Sampson—54.

Those who voted in the negative were,

Messrs. Ames, Carson, Cherry, Eagles, Forkner, Gahagan, Harris of Wake, Hodgin, Hoffman, Hudgings, Kinney, Leary, Morrill, Rea, Renfrow, Seymour, Simonds, Stevens, Sweat, Wilkie and Wilson—21.

Mr. Ingram moved a reconsideration of the vote just taken.

On this motion,

Mr. Justice called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Forkner, French, Gahagan, Harris of Wake, Hinnant, Hodgin, Horney, Ingram, Leary, Mayo, Morris, Ragland, Smith of Martin, Snipes and Stevens—22.

Those who voted in the negative were,

Messrs. Armstrong, Banner, Boddie, Candler, Carson, Clayton, Davis, Davidson, Downing, Durham, Ellis, Farrow, Fercbee, Foster, Franklin, Gatling, Gibson, Grier, Gunter, Hawkins, Hendricks, Hicks, Hodnett, Humphries, Hudgings, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Long of Richmond, McCanless, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proctor, Robinson, Reynolds, Siegrist, Smith of Alleghany, Smith of Wayne, Thompson, Vestal, Welch, Williams of Harnett, Williams of Sampson and Wilson—50.

Mr. French moved to amend section 1, class 1, line 1, by striking out "twenty-five" and inserting "fifteen."

Mr. Smith, of Alleghany, moved to amend the amendment by striking out "fifteen" and inserting "five."

Mr. Harris, of Wake, moved to lay the bill on the table.

The motion did not prevail.

On motion of Mr. French,

Further consideration of the bill was then postponed till Wednesday at ten and a half o'clock.

On motion of Mr. Stevens,

The House adjourned to meet again at ten o'clock, Wednesday.

WEDNESDAY, March 2d, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Mr. French, from the Committee on Counties and Townships, reported

A Senate bill to annex a part of New Hanover to Sampson county, favorably;

Also

A Senate bill concerning townships in the county of Pitt, favorably.

Mr. Ames, from the Committee on Internal Improvements, reported

A bill to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete their road, favorably, with an amendment.

On motion of Mr. Durham,

The Chairman of the Committee of the Whole, Mr. Pou, was instructed to summon M. S. Littlefield and George W. Swepson before the bar of the House at eleven o'clock, Friday.

Mr. Pou, from the Judiciary Committee, reported

A Senate bill to amend an act concerning the powers and duties of State officers, favorably, with an amendment.

Mr. Jarvis, from the Committee on Corporations, submitted a majority and minority report on

A Senate bill to incorporate the Yanceyville and Danville Railroad Company;

Also

A bill to incorporate the Iron Company, favorably.

Mr. Pou, from the Judiciary Committee, reported

A bill to enable the North Western North Carolina Railroad Company to complete the first division of its road, without recommendation.

Mr. Jarvis introduced

A bill to authorize the Sheriff of Tyrrell county to collect arrears of taxes.

Laid over.

A bill to authorize the Commissioners of Watauga county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnett, Barnes, Boddie, Carson, Carey, Cawthorn, Cherry, Dixon, Downing, Eagles, Ellis, Farrow, Ferebee, Forkner, Foster, French, Gibson, Hendricks, Hicks, Hoffman, Humphries, Ingram, Kinney, Long of Chatham, Long of Richmond, McCanless, McMillan, Mendenhall, Moring, Morrill, Morris, Pearson, Robbins, Seymour, Sinclair, Simonds, Snipes, Stevens, Thompson, Vestal, Vest, Whitley, Williams of Harnett, Williams of Sampson and Wilson—49.

Those who voted in the negative were,

Messrs. Candler, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hodnett, Horney, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Nicholson, Painter, Renfrow, Reynolds, Smith of Alleghany, Smith of Wayne, Stanton and Strudwick —18.

Leave of absence was granted Mr. Foster, indefinitely, from Friday next; also to Mr. Armstrong; and to Mr. Hoffman for ten days.

A bill to authorize the Commissioners of Currituck county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnes, Boddie, Carson, Cawthorn, Cherry, Clayton, Dixon, Downing, Farrow, Ferebee, Forkner, Foster, French, Gibson, Hoffman, Humphries, Hudgings, Ingram, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, McCanless, McMillan, Mendenhall, Moring, Morris, Pearson, Ragland, Rea, Seymour, Sinclair, Simonds, Snipes, Stanton, Stevens, Vest, Whitley, Wilkie, Williams of Harnett, Williams of Sampson and Wilson—45.

Those who voted in the negative were,

Messrs. Ashworth, Candler, Durham, Eagles, Grier, Gunter, Hawkins, Hendricks, Hicks, Hodnett, Horney, Jarvis, Justus of Henderson, Justus of Rutherford, Morrill, Nicholson, Painter, Pou, Renfrow, Robbins, Robinson, Siegrist, Smith of Alleghany, Smith of Wayne and Strudwick—25.

A Senate bill to authorize C. Hunter, guardian, to make title to real estate

Passed its second and third readings.

A Senate bill to amend chapter 270 of an act concerning the powers and duties of State officers was taken up,

The question being on the adoption of the amendment offered by the Judiciary Committee, viz: to strike out all after the word "provided" in section 2, and insert as follows:

"That the Governor shall, by and with the consent of Council of State, appoint the directors and proxies for the State in all corporations and joint stock companies chartered before the adoption of the new Constitution."

Mr. French moved to amend the amendment by striking out the words "chartered before" and inserting "whose charters have not been amended since."

On the adoption of this amendment,

Mr. French called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Clayton, Eagles, French, Harris of Franklin, Ingram, Justice of Rutherford, McMillan, Morrill, Painter and Stevens—10.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnett, Barnes, Carson, Carey, Cawthorn, Dixon, Downing, Durham, Ferebee, Forkner, Foster, Franklin, Gibson, Graham, Grier, Gunter, Harris of Wake, Hawkins, Hendricks, Hicks, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Alamance, Moore of Chowan, Nicholson, Pearson, Pou, Proctor, Ragland, Rea, Renfrow, Robbins, Robinson, Seymour, Siegrist, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stilley, Strudwick, Sweat, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Wilkie, Williams of Harnett, Williams of Sampson and Wilson—72.

The amendment of the Committee was then adopted.

The bill then passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnett, Barnes, Boddie, Carson, Carey, Cawthorn, Dixon, Downing, Durham, Ferebee, Forkner, Foster, Franklin, Gahagan, Gibson, Graham, Grier, Gunter, Harris of Wake, Hawkins, Hendricks, Hicks, Hilliard, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Laflin, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Alamance, Moore of Chowan, Nicholson, Pearson, Pou, Ragland, Rea, Renfrow, Robbins, Robinson, Sinclair, Simonds,

Smith of Wayne, Snipes, Stanton, Stilley, Strudwick, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Wilkie, Williams of Harnett, Williams of Sampson and Wilson—71.

Those who voted in the negative were,

Messrs. Davis, Eagles, French, Harris of Franklin, Ingram, Justice of Rutherford, McMillan, Painter, Siegrist, Stevens and Sweat—10.

The bill then passed its final reading.

A motion to reconsider the last vote was made and laid on the table.

Leave of absence was granted Mr. Stevens from Thursday till Tuesday next.

Mr. Moore, of Chowan, introduced

A bill to amend section 53, chapter 184, of the laws of 1868 and 1869.

Referred to the Committee on Education.

Mr. Hicks introduced

A bill to legalize the sale of land made by Commissioners of Marion, McDowell county.

Laid over.

Mr. Sykes introduced

A bill to incorporate the Farmers and Mechanics' Loan and Building Association, of Pasquotank county.

Referred to the Committee on Corporations.

A bill to enable the North Western North Carolina Railroad Company to complete the first division of its road was taken up.

The question recurring on the adoption of the proviso offered by the Judiciary Committee,

Mr. Welch called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Barnes, Boddie, Carson, Carey, Cherry, Clayton, Crawford, Durham, Ferebee, Forkner, Gibson, Grier, Gunter, Hawkins, Hicks, Hinnant, Hodnett, Hoffman, Humphries, Hudgings, Ingram, Kelly of Davie, Kelly of Moore,

Kinney, Leary, Long of Chatham, Mayo, McMillan, Moore of Alamance, Parker, Pearson, Pou, Renfrow, Robbins, Robinson, Reynolds, Smith of Alleghany, Smith of Wayne, Stanton, Strudwick, Sweat, Thompson, Welch, Williams of Harnett, Williams of Sampson and Wilson—47.

Those who voted in the negative were,

Messrs. Ames, Downing, Eagles, Ellis, French, Gatling, Hendricks, Justus of Henderson, Justice of Rutherford, Long of Richmond, Malone, McCanless, Morrill, Morris, Seymour, Siegrist, Stevens, Vestal, Vest and Whitley—19.

The bill was then made special for Thursday week at 11 o'clock.

A Senate bill to authorize the Williamston and Tarboro' Railroad Company to issue first mortgage bonds was

Made special for Thursday at 11 o'clock.

A bill to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete their road, &c., was

Made special for Thursday at 12 o'clock.

On motion of Mr. Sinclair,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. Sinclair introduced

A bill concerning townships in the counties of Robeson and Gates.

Passed second and third readings under suspension of the rules.

A Senate bill to incorporate the Trustees of the Greensboro' Female College

Passed second and third readings.

A bill to raise Revenue was taken up,

The question being on the amendment offered by Mr. Smith, of Alleghany, to the amendment offered by Mr. French.

Both amendments were rejected.

Mr. Vestal moved to amend class 1, section 1, line 8, by striking out "seven" and inserting "five."

On this motion,

Mr. Vestal called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnett, Barnes, Boddie, Candler, Carson, Cawthorn, Clayton, Crawford, Durham, Ellis, Ferebee, Foster, Gahagan, Grier, Gunter, Hawkins, Hendricks, Hicks, Hodnett, Horney, Humphries, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kinney, Long of Chatham, Long of Richmond, Malone, McMillan, Mendenhall, Nicholson, Painter, Pearson, Pou, Proctor, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Sykes, Thompson, Vestal, Vest, Welch, Whitley, Williams of Harnett, Williams of Sampson and Wilson—54.

Those who voted in the negative were,

Messrs. Carey, Dixon, Forkner, Hodgin, Mayo, McCanless, Morrill and Sweat—8.

The same amendment was, by general consent, made in line 10, class 1, section 1.

Mr. Pou moved to amend the proviso to section 1, class 1, by striking out the words "exclusive of the special taxes authorized by the General Assembly."

On this motion,

Mr. Pou called for the yeas and nays.

The call being snstained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Boddie, Candler, Carey, Clayton, Dixon, Durham, Ellis, Ferebee, Foster, Gahagan, Gibson, Grier, Gunter, Hawkins, Hicks, Hinnant, Hodnett, Hoffman, Horney, Humphries, Justus of Henderson, Kelly of Davie, Kinney, Long of Chatham, McMillan, Mendenhall, Morrill, Nicholson, Painter, Pearson, Pou, Proctor, Renfrow, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Strudwick, Thompson, Welch, Whitley, Williams of Harnett, Williams of Sampson and Wilson—46.

Those who voted in the negative were,

Messrs. Ashworth, Barnett, Barnes, Cawthorn, Forkner, Graham, Hodgin, Ingram, Justice of Rutherford, Long of Richmond, Malone, Mayo, McCanless, Morris, Snipes, Sweat and Vest—17.

Mr. Barnett offered the following as an additional proviso to section 1, class 1:

"*Provided further*, That the provisions of this section shall not apply to the counties of Granville, Person, Caswell, Forsythe, Montgomery and Craven."

On motion of Mr. Harris, of Wake, section 1, class 1, was passed over without action for the present.

Mr. Hinnant moved to strike out in line 4, class 2, section 1, the word "two," and insert "one."

The amendment was adopted.

Mr. Hinnant moved to insert in line 18, class 2, section 1, after the word "derived," the words "together with the necessary expenses of supporting the family, which shall in no case exceed one thousand dollars."

The amendment was adopted.

Mr. Hodnett moved to amend section 2, class 2, line 18, by striking out "two," and inserting "one."

The amendment was adopted.

Mr. Hinnant moved to amend line 33, section 2, class 2, by inserting after the word "his," the words "or her."

The amendment was adopted.

Mr. Foster moved to amend line 1, section 1, schedule B, by striking out "five," and inserting "ten."

The amendment was rejected.

Mr. Sweat moved to amend by striking out in line 4, section 1, schedule B, the word "fifty," and inserting the words "twenty-five."

Mr. Morris moved to amend the amendment by striking out "twenty-five," and inserting "forty."

Pending which,

On motion of Mr. Sykes,

The House adjourned to meet again at ten o'clock, Thursday.

THURSDAY, March 3d, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Mr. Justice introduced

A resolution to adjourn *sine die* on the fourteenth instant.

Laid over.

Mr. Grier introduced

A bill to incorporate the Masonic Temple Association of Charlotte.

Referred to the Committee on Corporations. Subsequently reported favorably.

Mr. Barnett introduced

A bill to aid in the construction of the Valley Railroad.

Referred to the Committee on Corporations;

Mr. Pou introduced

A bill to make Nense river a lawful fence.

Laid over;

Mr. Leary introduced

A bill to authorize the Sheriff of Cumberland county to collect arrears of taxes.

Laid over;

Mr. Malone introduced

A bill to provide for the appointment of a processioner for the several counties of the State.

Referred to the Judiciary Committee;

Mr. Moore, of Chowan, introduced

A bill to regulate the fees of medical experts in civil and criminal cases.

Referred to the Committee on Propositions and Grievances.

A bill for the relief of Sheriffs who hold receipts from the Public Treasurer

Passed its second and third readings.

A bill to create a lien in favor of physicians and surgeons was taken up, the same being a special order.

Pending which,

A series of bills prepared by the Code Commission were taken up, as unfinished business, viz:

A bill concerning the Treasurers of Townships.

By leave,

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A bill to lay off and establish the county of Pamlico; recommending its reference to the Committee on Counties and Townships.

Mr. Seymour, from the Committee on the Judiciary, reported

A Senate bill to require a return, by Justices of the Peace, of all criminal actions disposed of by them, to the clerk of the Superior Court, favorably.

The Speaker announced

The resignation of A. C. Wiswall, representative from Lincoln county.

Discussion of the Code bills taken up was then resumed.]

Mr. Seymour moved to amend section 6, line 4, by striking out the words "one thousand" and inserting the words "five hundred."

The amendment was adopted.

Mr. Pou moved to amend by inserting after "dollars," in section 6, the words "and always equal to the probable amount of the taxes, other than school taxes, to be collected in one year in the township."

The amendment was adopted.

Mr. Pou moved to amend section 7 by inserting after the word "trustees" the words, "or Commissioners of the County."

The amendment was adopted.

The bill then passed its second and third readings.

A bill to amend sections 149, 266 and 274, of the Code of Civil Procedure

Passed its second and third readings.

A bill to amend paragraph 199, chapter 4, of the Code of Civil Procedure

Passed its second and third readings.

A bill concerning Coroners

Passed its second and third readings.

A bill to amend section 199 of the Code of Civil Procedure

Passed its second and third readings.

A bill to require defendants to file pleadings on oath in all cases in which the execution of any written instrument is denied

Passed its second and third readings.

A bill to amend an act in relation to landlord and tenant

Passed its second and third readings.

A bill relating to investments made by persons in a fiduciary character

Passed its second and third readings.

A bill relating to the supply of Acts of the General Assembly to the State Library and to the University.

Passed its second and third readings.

A bill to extend the time for transferring actions to the Superior Courts was

Laid on the table.

The vote by which a bill concerning the Township Treasurers passed its final reading was reconsidered.

Mr. Pou offered a proviso to section 9.

The proviso was adopted and

The bill passed its final reading.

Mr. Whitley, from the Committee on Corporations, reported

A bill to incorporate the town of Magnolia, Duplin county, favorably;

A bill to authorize the Williamston and Tarboro' Railroad Company to issue first mortgage bonds

Passed second reading and was

Ordered printed, and

Made special for Friday at seven and a half o'clock, P. M.

A bill to enable the Wilmington, Charlotte and Rutherford Railroad Company to complete their road, and to authorize the return of certain bonds into the Treasury, was taken up.

The report of the Committee on Corporations was concurred in and

The bill passed its second reading, and was

Ordered printed and made special for Friday at eight o'clock, P. M.

A bill to enable the North Western North Carolina Railroad Company to complete the first division of their road was taken up.

The vote by which an amendment to the bill was previously adopted was reconsidered.

The amendment was then lost, and the bill

Passed its second reading and was

Made special for Friday at eight and a half o'clock, P. M.

A bill to authorize the Commissioners of Union county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnett, Barnes, Boddie, Carson, Cawthorn, Clayton, Crawford, Davis, Dixon, Downing, Eagles, Ferebee, Forkner, Franklin, French, Gatling, Gibson, Graham, Harris of Franklin, Harris of Wake, Hodgin, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Morrill, Morris, Price, Ragland, Robbins, Robinson, Seymour, Simonds, Snipes, Stanton, Vestal, Waldrop, Whitley, Wilkie, Williams of Sampson and Wilson—52.

Those who voted in the negative were,

Messrs. Candler, Foster, Gunter, Hawkins, Hendricks, Hicks, Hinnant, Hodnett, Horney, Long of Chatham, Nicholson, Painter, Shaver, Smith of Alleghany, Strudwick, Thompson and Williams of Harnett—17.

A Senate bill for the relief of the Sheriff of Granville county

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnett, Barnes, Boddie, Carson, Carey, Clayton, Crawford, Davis, Davidson, Dixon, Eagles, Ferebee, Forkner, Franklin, French, Gatling, Gibson, Graham, Gunter, Harris of Franklin, Harris of Wake, Hendricks, Hicks, Hinnant, Humphries, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Morrill, Morris, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Seymour, Simonds, Snipes, Stanton, Thompson, Vestal, Vest, Waldrop, Whitley, Wilkie, Williams of Harnett, Williams of Sampson and Wilson—64.

Mr. Cawthorn voted in the negative.

The bill then passed its final reading.

Leave of absence was granted Mr. Moore, of Alamance, for one week.

On motion of Mr. Justice,

The House then agreed to meet again at seven and-a-half o'clock, P. M.

Mr. Justice gave notice of a resolution to amend the rules.

Mr. Franklin introduced

A resolution in favor of the orphans of North Carolina.

Laid over.

A message was received from the Senate transmitting, for consideration of the House,

A resolution allowing actual expenses to the committee to investigate the affairs of the Albemarle and Chesapeake Canal Company;

A bill for the relief of the Sheriff of Halifax county;

A bill to prevent the felling of trees and placing other obstructions in the waters of Mill creek, between Bentonsville and Neuse river, in Johnston county; and

A bill to prevent the sale of the reversionary interest in homestead lands.

On motion of Mr. Smith, of Martin,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

A message was received from the Senate transmitting for consideration

A bill to incorporate the Ore Hill Manufacturing Company.

Laid over.

Mr French introduced

A bill concerning Constables in New Hanover county.

Laid over.

A bill to incorporate the Policy Holders' Life and Tontine Assurance Company of the South, was taken up.

Mr. Vest offered the following as a proviso to section 7 of the bill, viz:

"*Provided*, That the interest on any contract shall not exceed 12 per cent. per annum on money loaned."

Mr. Price moved to have the bill printed and made special for Thursday next at eleven o'clock.

The motion was rejected.

The question recurring on the amendment offered by Mr. Vest.

The same was rejected.

The bill then

Passed its second and third readings.

A Senate bill to incorporate the Ore Hill Manufacturing Company was taken up.

Mr. Hodgins called the previous question on the passage of the bill on its second reading.

The question being "Shall the main question be now put?"

Mr. Seymour called for the yeas and nays.

The call being sustained,

The call for the previous question was sustained by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Boddie, Carson, Carey, Cawthorn, Clayton, Crawford, Davis, Durham, Eagles, Ellis, Ferebee, Franklin, Gahagan, Gibson, Graham, Grier, Gunter, Harris of Franklin, Hawkins, Hodgin, Horney, Humphries, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Morris, Nicholson, Pearson, Price, Proctor, Shaver, Sinclair, Smith of Wayne, Snipes, Stilley, Strudwick, Thompson, Vestal, Vest, Waldrop,

Welch, Whitley, Williams of Harnett, Williams of Sampson and Wilson—62.

Those who voted in the negative were,

Messrs. Cherry, Dixon, Forkner, Foster, French, Harris of Wake, Hinnant, Painter, Pou, Renfrow, Seymour, Siegrist, Smith of Martin, Stanton and Sweat—15.

The question being on the passage of the bill on its second reading,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Boddie, Carson, Carey, Cawthorn, Clayton, Crawford, Durham, Eagles, Ellis, Ferebee, Gibson, Graham, Grier, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hodgin, Horney, Humphries, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McMillan, Mendenhall, Moore of Chowan, Morrill, Morris, Nicholson, Pearson, Proctor, Renfrow, Robinson, Shaver, Sinclair, Smith of Alleghany, Snipes, Stilley, Strudwick, Thompson, Vestal, Vest, Welch, Whitley, Williams of Harnett, Williams of Sampson and Wilson—61.

Those who voted in the negative were,

Messrs. Dixon, Forkner, Foster, Hinnant, McCanless, Painter, Pou, Price, Seymour, Smith of Martin, Stanton, Sweat, Sykes and Waldrop—14.

On the third reading of the bill,

Mr. Seymour offered the following as an additional section:

"The provisions of section sixth of this act shall apply to all persons and corporations holding lands in North Carolina as fully and effectually as to the company hereby incorporated."

The amendment was rejected.

Mr. Seymour offered a proviso to section 6.

The amendment was rejected.

The bill then

Passed its final reading.

Mr. Moore, from the Judiciary Committee, reported

A bill for the relief of the several sheriffs of the State, favorably;

A bill to facilitate appeals in State cases, with a substitute;

A bill in relation to Clerks of Superior Courts, Justices of the Peace, &c., unfavorably;

A bill to amend chapter 113 of the laws of 1868 and 1869, unfavorably;

A bill to amend chapter 185 of the public laws of North Carolina, concerning townships, favorably;

A bill in relation to conveyances in fee simple, unfavorably;

A bill to authorize Sheriffs who have retired from office to make title, &c., favorably;

A Senate bill to repeal the laws concerning fences in certain townships, unfavorably;

A bill to regulate appeals from Justices' Courts in certain cases, favorably;

A bill to amend section 27, chapter 7, of the Revised Code, unfavorably;

A Senate bill to amend section 7, chapter 157, of an act concerning County Treasurers, favorably;

A bill (Code) concerning roads, bridges and ferries, favorably;

A bill to amend the Code of Civil Procedure by adding section 248, *a*, favorably;

A bill to permit persons to obtain license to practice as attorneys in the Superior Courts of this State, favorably;

A bill to amend an act to secure advances for agricultural purposes, favorably, with amendments; and

A bill providing for amercements of sheriffs and constables in justices' courts, favorably.

A Senate bill to incorporate the Louisburg Co-operative Land and Building Association

Passed its second and third readings.

A bill to authorize the Commissioners of Camden county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Boddie, Carey, Cherry, Dixon, Ferebee, Franklin, French, Gahagan, Gibson, Graham, Grier, Harris of Franklin, Harris of Wake, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Morris, Price, Robinson, Snipes, Stanton, Stilley, Sykes, Thompson, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—44.

Those who voted in the negative were,

Messrs. Eagles, Gunter, Hawkins, Hendricks, Hinnant, Horney, Justus of Henderson, Nicholson, Painter, Pearson, Pou, Proctor, Renfrow, Smith of Alleghany, Smith of Martin, Sweat and Vestal—17.

On motion of Mr. Justice,

The House adjourned to meet again at ten o'clock, Friday.

FRIDAY, March 4th, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the Chair.

Prayer by Rev. Mr. Long, of the House.

Mr. Durham moved a reconsideration of the order by which M. S. Littlefield and George W. Swepson, Esqrs., were summoned to appear before the House this day at eleven o'clock.

The motion prevailed.

Leave of absence was granted Mr. Gunter for two days.

Mr. Justice introduced

A resolution to provide for night sessions.

Laid over.

Mr. Hodnett introduced

A bill to authorize J. C. Griffith, Sheriff of Caswell county, to collect arrears of taxes.

Referred to the Committee on Propositions and Grievances.

Mr. Malone introduced

A bill to provide for specific liens by contract of the parties and for other purposes.

Ordered printed, and

Referred to the Judiciary Committee.

Mr. Seymour moved that an *alias* summons be issued to Messrs. Littlefield and Swepson to appear one week from this day.

The motion prevailed.

A bill to raise revenue was taken up, the same being unfinished business.

Mr. Harris, of Wake, moved to strike out the sixth section of schedule B.

On this motion,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnes, Candler, Carson, Dixon, Downing, Forkner, Foster, Franklin, French, Gatling, Gibson, Graham, Grier, Harris of Wake, Hinnant, Hodgin, Horney, Kelly of Moore, Long of Richmond, Malone, Moore of Chowan, Morrill, Morris, Painter, Pearson, Pou, Price, Proctor, Rea, Renfrow, Robbins, Robinson, Seymour, Siegrist, Sinclair, Smith of Wayne, Stanton, Stilley, Vestal, Vest, Waldrop and Williams of Harnett—45.

Those who voted in the negative were,

Messrs. Boddie, Clayton, Durham, Eagles, Gahagan, Gunter,

Harris of Franklin, Hawkins, Hayes, Hicks, Humphries, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kinney, Leary, Long of Chatham, Mayo, McCanless, McMillan, Nicholson, Reynolds, Shaver, Smith of Alleghany, Smith of Martin, Strudwick, Thompson, Welch, Whitley and Wilson—32.

Mr. Hinnant moved to amend section 9, by striking out the words "fifty dollars each," and inserting "ten dollars on each table."

The amendment was adopted.

Mr. Hinnant moved to amend section 10, lines 6 and 7, by striking out the words, "twenty-five dollars" and inserting the words "ten dollars on each alley."

The amendment was adopted.

Mr. Hinnant moved to amend section 11, line 3, by striking out "five" and inserting "two and a half."

The amendment was adopted.

Mr. Carey moved to amend section 11, line 5, by striking out "three gallons" and inserting "one quart."

Pending which

Mr. Pou moved a temporary suspension of the bill under discussion, for the purpose of introducing a resolution.

The motion prevailed.

Mr. Pou introduced

A resolution for investigation of alleged frauds.

The rules having been suspended,

Mr. Pou moved to amend the resolution by inserting the following proviso:

"*Provided*, That the committee shall continue their sittings from day to day until a report is made, and not adjourn for more than two days at one time."

Mr. Pou called the previous question.

The question being, "Shall the main question be now put?"

Mr. Durham called for the yeas and nays.

The call being sustained,

The previous question was ordered by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Boddie, Candler, Carson, Carey, Cherry, Clayton, Davis, Dixon, Durham, Ellis, Ferebee, Forkner, Gahagan, Gatling, Gibson, Graham, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hendricks, Hicks, Hinnant, Hodgin, Hodnett, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Moore of Chowan, Morris, Nicholson, Painter, Pearson, Pou, Proctor, Ragland, Renfrow, Robbins, Robinson, Reynolds, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stilley, Strudwick, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Wilkie, Williams of Harnett, Williams of Sampson and Wison—77.

Those who voted in the negative were,

Messrs. Foster, French, Gunter, Hayes, Hilliard and Laflin—6.

The question recurring on the adoption of the proviso,

Notice having been given,

Mr. French moved to amend the proviso by inserting the following words, viz:

"*Provided further*, That the investigating committee consisting of Messrs. Sam'l T. Phillips, Thomas Bragg and W. L. Scott, are directed to report their proceedings on the 11th instant, up to that date."

On the adoption of this amendment,

Mr. French called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Barnes, Candler, Carson,

Carey, Cherry, Dixon, Downing, Eagles, Ellis, Ferebee, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hayes, Hendricks, Hilliard, Hodgin, Hodnett, Horney, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Morrill, Morris, Pearson, Pou, Price, Proctor, Ragland, Rea, Robbins, Robinson, Reynolds, Shaver, Sinclair, Simonds, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stilley, Sweat, Thompson, Vestal, Vest, Waldrop, Welch, Williams of Harnett, Williams of Sampson and Wilson—71.

Those who voted in the negative were,

Messrs. Boddie, Clayton, Davis, Durham, Gatling, Gibson, Grier, Hicks, Hinnant, Humphries, Jarvis, Kelly of Davie, Nicholson, Painter, Seigrist, Smith of Alleghany, Strudwick and Whitley—18.

The proviso, as amended, was then adopted.

The question recurring on the adoption of the resolution,

Mr. Downing called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote :

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnett, Barnes, Boddie, Candler, Carson, Carey, Cherry, Clayton, Davis, Dixon, Durham, Eagles, Ellis, Ferebee, Forkner, Franklin, French, Gahagan, Gatling, Gibson, Graham, Grier, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hendricks, Hicks, Hinnant, Hodgin, Hodnett, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Moore of Chowan, Morrill, Morris, Nicholson, Painter, Pearson, Pou, Proctor, Rea, Renfrow, Robbins, Reynolds, Shaver, Siegrist, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stilley,

Strudwick, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Harnett, Williams of Sampson and Wilson—85.

Mr. Sinclair introduced

A bill to authorize the Commissioners of Rebeson county to erect a bridge across Lumber River, near Griffin's Bluff.

Laid over.

Mr. Durham introduced

A bill to incorporate the Shelby and South Carolina Railroad Company.

Referred to the Committee on Internal Improvements.

On motion of Mr. Ames,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

A bill to authorize the Commissioners of Robeson county to build a bridge across Lumber River at or near Griffin's Bluff

Passed its second and third readings.

A bill to incorporate the town of Magnolia, in Duplin county, was taken up.

The amendmant offered by the Committee on Corporations was adopted, and

The bill passed its second and third readings.

A bill to authorize the Williamston and Tarboro' Railroad Company to issue first mortgage bonds

Passed its final reading.

A bill to aid in the construction of the Valley Railroad was ordered to be printed.

A bill to enable the Wilmington, Charlotte and Rutherford

Railroad Company to complete their road, and to authorize the return of State bonds to the treasury, was taken up,

The question being on the passage of the bill on its final reading.

Mr. Sweat called for the yeas and nays.

The call being sustained,

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Barnett, Candler, Carey, Clayton, Crawford, Davis, Durham, Eagles, Ellis, Farrow, Foster, Franklin, French, Gahagan, Graham, Grier, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Long of Richmond, Malone, Mayo, McMillan, Moore of Chowan, Morrill, Painter, Proctor, Ragland, Reynolds, Sinclair, Stilley, Strudwick, Vestal, Vest, Waldrop, Whitley and Wilson—43.

Those who voted in the negative were,

Messrs. Boddie, Carson, Cherry, Dixon, Ferebee, Forkner, Gibson, Hawkins, Hayes, Hicks, Hinnant, Hodgin, Hodnett, Horney, Long of Chatham, McCanless, Nicholson, Pou, Rea, Renfrow, Seymour, Shaver, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Sweat, Thompson, Williams of Harnett and Williams of Sampson—30.

A motion to reconsider the vote last taken was made and laid on the table.

Mr. Graham, from the Committee on Internal Improvements, reported

A bill to incorporate the Shelby and South Carolina Railroad Company, favorably.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A bill authorizing J. C. Griffith, Sheriff of Caswell county, to collect arrears of taxes, favorably, with an amendment.

A bill to enable the North Western North Carolina Railroad Company to complete the first division of their road

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Candler, Carson, Carey, Durham, Eagles, Ellis, Farrow, Forkner, Foster, Franklin, French, Gahagan, Graham, Grier, Harris of Franklin, Hodgin, Horney, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Moore of Chowan, Morrill, Pearson, Proctor, Ragland, Reynolds, Sinclair, Stilley, Strudwick, Vestal, Vest, Waldrop, Whitley and Wilson—49.

Those who voted in the negative were,

Messrs. Boddie, Cherry, Clayton, Ferebee, Gibson, Gunter, Hawkins, Hicks, Hinnant, Hodnett, Morris, Painter, Pou, Rea, Seymour, Shaver, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Sweat, Sykes, Thompson, Wilkie, Williams of Harnett and Williams of Sampson—26.

A motion to reconsider the last vote was made and laid on the table.

Mr. Leary, from the Committee on Corporations, reported

A bill to incorporate the Farmers and Mechanics' Loan and Building Association of Pasquotank county, favorably;

A Senate bill to amend the charter of the Louisburg branch of the Wilmington and Weldon Railroad

Passed its second and third readings.

A resolution in favor of the Orphans of North Carolina was

Adopted.

A bill concerning townships in Cumberland county

Passed its second and third readings.

A bill concerning the settlement of State taxes was

Laid on the table.

A Senate bill concerning townships in Pitt county

Passed its second and third readings.

A bill to authorize the Commissioners of Camden county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Boddie, Carson, Cherry, Clayton, Dixon, Farrow, Ferebee, Forkner, Franklin, French, Gahagan, Gibson, Graham, Grier, Harris of Franklin, Humphries, Hudgings, Ingram, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Malone, Mayo, McCanless, McMillan, Morris, Pearson, Proctor, Rea, Reynolds, Snipes, Stanton, Sykes, Thompson, Vestal, Vest, Waldrop, Whitley, Williams of Harnett, Williams of Sampson and Wilson—46.

Those who voted in the negative were,

Messrs. Candler, Eagles, Gunter, Hawkins, Hendricks, Hicks, Hinnant, Horney, Nicholson, Painter, Rentrow, Shaver, Sinclair, Smith of Alleghany and Smith of Wayne—15.

A Senate bill to empower the Commissioners of Caldwell county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnes, Boddie, Carson, Carey, Cherry, Dixon, Farrow, Ferebee, Forkner, Foster, Franklin, French, Gahagan, Gibson, Graham, Grier, Harris of Franklin, Humphries, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Moore of Chowan, Morris, Pearson, Rea, Reynolds, Stanton, Stilley, Sykes, Thompson, Vestal, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—46.

Those who voted in the negative were,

Messrs. Candler, Clayton, Eagles, Gunter, Hawkins, Hendricks, Hicks, Hinnant, Hodgin, Hodnett, Horney, Justice of Rutherford, Kelly of Davie, Nicholson, Painter, Proctor, Renfrow, Shaver, Smith of Alleghany, Smith of Wayne, Strudwick, Sweat and Welch—23.

Mr. Moore, of Chowan, introduced

A bill to secure the construction of the Western Division of the Western North Carolina Railroad.

Ordered printed and made special for Saturday at eleven o'clock.

A bill to incorporate the Bank of Tarboro'

Passed its second and third readings.

The House concurred in the Senate amendment to a bill to allow the Commissioners of Montgomery to levy a special tax.

Mr. Barnett, from the Committee on Corporations, reported

A bill to aid the construction of the Valley Railroad, favorably.

A Senate bill to require the return, by Justices of the Peace, of all criminal actions disposed of by them, to the Clerk of the Superior Court,

Passed its second and third readings.

A bill to make wilful abandonment for more than two years a cause for divorce from the bonds of matrimony, was taken up.

The majority report thereon was favorable to the passage of the bill.

The minority report unfavorable, as follows:

"The minority of the Committee on the Judiciary recommend that the within bill do not pass, 1st, because, in their opinion, Jesus Christ, by positive legislation, forbids it; 2d, because facility in obtaining divorces is detrimental to the best interests of society."

W. A. MOORE,
J. S. LEARY.

Mr. Hayes moved to lay the bill on the table.

On this motion,

Mr. Hayes called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Boddie, Carey, Davis, Durham, Eagles, Ellis, Farrow, Forkner, Franklin, Gibson, Graham,

Gunter, Harris of Franklin, Hawkins, Hayes, Hendricks, Hicks, Hudging, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, McMillan, Moore of Chowan, Morris, Nicholson, Pearson, Pou, Proctor, Rea, Renfrow, Reynolds, Sinclair, Smith of Alleghany, Stilley, Strudwick, Vestal, Vest, Waldrop, Welch, Whitley and Wilson—48.

Those who voted in the negative were,

Messrs. Barnett, Cherry, Clayton, Ferebee, Foster, French, Hinnant, Hodgin, Horney, Ingram, Kinney, Malone, Mayo, Painter, Price, Shaver, Smith of Wayne, Thompson and Williams of Sampson—19.

A bill to allow the Sheriff of Tyrrell county to collect arrears of taxes was

Laid on the table.

On motion of Mr. Sinclair,

The House adjourned to meet again at ten o'clock, Saturday.

SATURDAY, March 5, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Shaver, of the House.

Mr. French presented

A petition from citizens of New Hanover county in relation to the establishment of a new county.

Referred to the Committee on Counties and Townships.

Mr. Ferebee presented

A petition from citizens of Wake county in relation to the sale of intoxicating liquors near Wake Forest college.

Laid over.

Mr. Snipes, from the Committee on Propositions and Grievances, reported

A bill to regulate the fees of medical experts in civil and criminal cases, unfavorably;

A bill in regard to common carriers of freight, favorably; and

A Senate bill in relation to drawing seins in Tar river and Tranter's creek, favorably.

Mr. Malone, from the Judiciary Committee, reported

A bill to protect citizens of North Carolina who rented lands of the United States treasury agents during the late war, favorably, with an amendment; and

A bill to provide for the appointment of processioners for the several counties of the State, favorably.

Mr. Barnett, from the Committee on Corporations, reported

A Senate bill to amend the charter of the town of Franklinton, in North Carolina, favorably.

Leave of absence was granted Mr. Ellis indefinitely.

Mr. Painter introduced

A resolution fixing a day for adjournment.

Laid over.

Mr. Vest introduced

A resolution authorizing the Public Treasurer to obtain funds for the immediate use of the Asylums, the Penitentiary and for other purposes.

Mr. French gave notice of the introduction of a resolution to amend the rules of the House.

Mr. Hendricks introduced

A resolution in favor of A. H. Freeman, Clerk of Superior Court of Surry county.

Laid over.

Mr. Vest introduced

A bill to amend the charter of the town of Salem.

Laid over.

Mr. Simonds introduced

A bill to authorize C. C. Vest, sheriff of Cherokee county, to collect arrears of taxes.

Laid over.

A Senate bill to amend the charter of the town of Franklinton

Passed second and third readings.

A bill to authorize the Commissioners of Union county to levy a special tax

Passed final reading by the following vote:

Those who voted in the affimative were,

Messrs. Ames, Ashworth, Banner, Barnett, Carson, Clayton, Downing, Ferebee, Forkner, French, Gahagan, Gibson, Graham, Green, Harris of Franklin, Harris of Wake, Hayes, Hilliard, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Laflin, Leary, Long of Richmond, Malone, Mayo, McCanless, Pearson, Rea, Robbins, Reynolds, Seymour, Shaver, Simonds, Thompson, Vestal, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—45.

Those who voted in the negative were,

Messrs. Ellis, Foster, Hawkins, Hendricks, Hicks, Hodgin, Hodnett, McMillan, Mendenhall, Nicholson, Painter, Proctor, Renfrow, Seigrist, Sinclair, Smith of Alleghany and Stanton—17.

A bill to prohibit the sale of spirituous liquors within five miles of Wake Forrest College

Passed its second and third readings.

A resolution authorizing the Public Treasurer to obtain funds for the immediate use of the Asylums, &c.,

Passed second and third readings.

A motion to reconsider the last vote was made and laid on the table.

The vote by which the House laid on the table a bill to authorize the Sheriff of Tyrrell county to collect arrears of taxes was reconsidered, and the bill

Passed its second and third readings.

A bill to authorize the Sheriff of Cumberland county to collect arrears of taxes

Passed second and third readings.

A bill to incorporate the town of Snow Hill, in Greene county,

Passed second and third readings.

A resolution relating to Cape Fear harbor was

Unanimously adopted.

A Senate bill to authorize the Commissioners of Onslow county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnett, Boddie, Carson, Carey, Davis, Downing, Ferebee, Forkner, French, Gahagan, Gatling, Gibson, Graham, Harris of Franklin, Hilliard, Hodgin, Humphries, Hudgings, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Malone, Mayo, McCanless, McMillan, Moore of Chowan, Morrill, Pearson, Price, Robinson, Reynolds, Seymour, Stanton, Stilley, Sykes, Thompson, Vestal, Whitley, Williams of Sampson and Wilson—45.

Those who voted in the negative were,

Messrs. Eagles, Foster, Hawkins, Hendricks, Horney, Matheson, Mendenhall, Nicholson, Renfrow, Shaver, Siegrist, Smith Alleghany, Smith of Wayne and Sweat—14.

A Senate bill authorizing the formation of the Greensboro' Building and Loan Association, in the county of Guilford,

Passed second and third readings.

A bill to allow the sheriff of Lenoir county to collect arrears of taxes

Passed second and third readings.

Mr. French, from the Committee on Immigration, reported

A bill in behalf of the Mediterranean and Oriental Steam Navigation Company, favorably.

A bill to amend an act to incorporate the Shepherd's Point Land Company

Passed its second and third readings.

A Senate bill to authorize the Commissioners of Northampton county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnett, Barnes, Cherry, Clayton, Eagles, Ferebee, Forkner, French, Gahagan, Gatling, Gibson, Graham, Green, Harris of Franklin, Hayes, Hilliard, Humphries, Hudgings, Ingram, Kinney, Leary, Long of Richmond, Malone, Mayo, McCanless, McMillan, Morrill, Pearson, Price, Rea, Robbins, Robinson, Reynolds, Seymour, Simonds, Sykes, Vestal, Waldrop, Whitley and Williams of Sampson–43.

Those who voted in the negative were,

Messrs. Argo, Candler, Foster, Hawkins, Hicks, Hodnett, Horney, Justus of Henderson, Long of Chatham, Mendenhall, Nicholson, Painter, Proffitt, Shaver, Siegrist, Sinclair, Smith of Alleghany, Stanton, Sweat, Thompson and Wilson—21.

A bill concerning constables in New Hanover county

Passed second and third readings.

A Senate bill to authorize the Commissioners of Sampson County to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Barnes, Boddie, Carson, Cherry, Downing, Ferebee, Forkner, Gahagan, Gatling Gibson, Green, Harris of Wake, Hayes, Humphries, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Chatham, Malone, Mayo, McCanless, McMillan, Morrill, Pearson, Price, Rea, Robbins, Robinson, Reynolds, Seymour, Simonds, Stanton, Thompson, Vestal, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—45.

Those who voted in the negative were,

Messrs. Candler, Eagles, Foster, Hawkins, Hicks, Hodgin, Hodnett, Horney, Justus of Henderson, Kelly of Davie, Long of Richmond, Mendenhall, Nicholson, Painter, Proffitt, Shaver, Siegrist, Sinclair, Smith of Wayne, Snipes and Sweat—21.

A Senate bill to amend chapter 33 of the laws of 1868 and 1869 was

Made special for Monday next at twelve o'clock.

A bill to incorporate the Farmers and Mechanics' Building Association of Pasquotank county

Passed its second and third readings.

A bill to amend an act making Neuse river a lawful fence

Passed its second and third readings.

A bill to authorize C. C. Vest, Sheriff of Cherokee county, to collect taxes due for the years 1868 and 1869

Passed its second and third readings.

A bill to authorize the Commissioners of Washington county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs Ames, Ashworth, Barnett, Barnes, Boddie, Carson, Cherry, Downing, Eagles, Ferebee, Forkner, Gatling, Green, Harris of Franklin, Hayes, Hodgin, Humphries, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Richmond, Malone, Matheson, McCanless, McMillan, Price, Rea, Robbins, Reynolds, Seymour, Simonds, Smith of Martin, Stanton, Thompson, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—43.

Those who voted in the negative were,

Messrs. Argo, Candler, Foster, Gibson, Hawkins, Hendricks, Hicks, Long of Chatham, Mendenhall, Nicholson, Painter, Pearson, Proffitt, Renfrow, Shaver Siegrist, Smith of Alleghany, Smith of Wayne and Sweat—19.

A Senate resolution allowing actual expenses to the committee appointed to investigate the affairs of the Albemarle and Chesapeake Canal Company

Passed second and third readings.

A Senate bill to authorize the Commissioners of Caldwell county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Boddie, Carson, Carey, Cherry, Downing, Eagles, Ferebee, Forkner, Gatling, Gibson, Graham, Green, Harris of Franklin, Harris of Wake, Hawkins, Hayes, Humphries, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, Mayo, McCanless, Morrill, Price, Rea, Robbins, Robinson, Reynolds, Seymour, Sinclair, Stanton, Sykes, Vestal, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—51.

Those who voted in the negative were,

Messrs. Foster, Hicks, Hodnett, McMillan, Mendenhall, Nicholson, Painter, Proctor, Shaver, Siegrist, Smith of Wayne, Snipes, Sweat and Thompson—14.

A Senate bill to incorporate the Boydton and Ridgeway Turnpike Company

Passed second and third readings.

A bill to incorporate Clay Lodge, No. 301, F. and A. M.,

Passed second and third readings.

A bill in behalf of the Mediterranean and Oriental Steam Navigation Company was

Ordered printed and

Made special for Wednesday next at 11 o'clock.

Mr. Smith, of Alleghany, introduced

A resolution favoring an early adjournment.

Laid over.

A bill to secure the construction of the Western Division of the Western North Carolina Railroad was taken up.

Mr. Mendenhall moved to lay the bill on the table.

On this motion,

Mr. Justice called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnes, Cherry, Hayes, Hendricks, Hicks, Horney, Humphries, Long of Chatham, Long of Richmond,

McCanless, Mendenhall, Pou, Renfrow, Seigrist and Williams of Sampson—16.

Those who voted in the negative were,

Messrs. Ames, Barnett, Boddie, Candler, Carson, Carey, Clayton, Ellis, Ferebee, Forkner, Foster, French, Gahagan, Gibson, Harris of Wake, Hawkins, Hodgin, Hudgins, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Mayo, Moore of Chowan, Morrill, Nicholson, Painter, Proctor, Proffitt, Robbins, Robinson, Reynolds, Shaver, Sinclair, Simonds, Snipes, Stanton, Stilley, Thompson, Vestal, Vest, Waldrop, Whitley and Wilson—46.

The bill was then made special for Monday next at eleven o'clock.

On motion of Mr. Smith, of Martin,

The House then adjourned to meet again at ten o'clock, Monday.

MONDAY, March 7th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Long, of the House.

Mr. Harris, of Wake, introduced

A resolution concerning disabled soldiers.

Laid over.

Mr. Moore, of Chowan, introduced

A bill to incorporate the Glen Alpine Springs Company.

Referred to the Committee on Corporations.

Mr. Barnett, from the Committee on Corporations, reported

A bill to incorporate the Real Estate and Loan Association of Wilmington, favorably; and

A bill to incorporate the Planters and Merchants' Railway Company, favorably.

Mr. French presented

A petition from citizens of New Hanover county in relation to a new county.

Referred to the Committee on Counties and Townships.

Mr. Durham introduced

A resolution concerning testimony of witnesses before the House when in Committee of the Whole.

Mr. Durham moved a suspension of the rules for the purpose of taking up this resolution.

On this motion,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnett, Barnes, Boddie, Candler, Carson, Clayton, Durham, Farrow, Ferebee, Forkner, Gatling, Gibson, Green, Hawkins, Hendricks, Hicks, Hilliard, Hodnett, Humphries, Ingram, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, McCanless, McMillan, Moore of Chowan, Nicholson, Painter, Pou, Proffitt, Robinson, Seymour, Shaver, Siegrist, Smith of Alleghany, Snipes, Stanton, Stilley, Strudwick, Sweat, Thompson, Vestal, Welch, Whitley and Williams of Sampson—51.

Those who voted in the negative were,

Messrs. Ashworth, Eagles, Foster, Franklin, French, Graham, Harris of Wake, Hayes, Hodgin, Horney, Hudgings, Kinney, Laflin, Morrill, Pearson, Price, Proctor, Rea, Renfrow, Robbins, Reynolds, Sinclair, Simonds, Smith of Martin, Sykes, Waldrop and Wilson—27.

The question being on the adoption of the resolution,

Mr. Ingram called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Banner, Barnett, Barnes, Boddie, Candler, Carson, Clayton, Davis, Durham, Farrow, Ferebee, Gibson, Green, Harris of Franklin, Hawkins, Hendricks, Hicks, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, Mathson, McCanless, McMillan, Nicholson, Painter, Pou, Proffitt, Robinson, Shaver, Siegrist, Smith of Alleghany, Snipes, Stanton, Strudwick, Thompson, Vestal, Welch, Whitley and Williams of Sampson—46.

Those who voted in the negative were :

Messrs. Ames, Ashworth, Carey, Cherry, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Harris of Wake, Hayes, Horney, Hudgings, Justus of Henderson, Kinney, Leary, Mayo, Moore of Chowan, Morrill, Pearson, Price, Proctor, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Stilley, Sykes, Waldrop and Wilson—36.

Mr. Durham moved that the House do now go into Committee of the Whole.

On this motion,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote :

Those who voted in the affirmative were,

Messrs. Argo, Banner, Barnett, Barnes, Boddie, Candler, Carson, Clayton, Davis, Durham, Farrow, Ferebee, Forkner, Gibson, Green, Harris of Franklin, Hawkins, Hendricks, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Matheson, McCanless, McMillan, Moore of Chowan, Nicholson, Painter, Pou, Proffitt, Renfrow, Robinson, Reynolds, Seymour, Shaver, Siegrist, Sinclair, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stilley, Strudwick, Sweat, Sykes, Thompson, Vestal, Welch, Whitley, Wilkie, Williams of Sampson and Wilson—61.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Carey, Eagles, Foster, Franklin, French, Gahagan, Harris of Wake, Hayes, Hodgin, Horney, Hudgings, Kinney, Mayo, Morrill, Pearson, Price and Waldrop—19.

The House then resolved itself into Committee of the Whole.

At twenty four minutes past two o'clock

The Chairman of the Committee of the Whole reported to the House that the Committee had been in session, had made some progress, and asked leave to sit again.

The report was adopted.

Mr. Durham moved that the Chairman of the Committee of the Whole be instructed to summon M. S. Littlefield to appear before the Committee of the Whole at ten and a half o'clock, Tuesday, and that the House do then resolve itself into Committee of the Whole.

The motion prevailed.

On motion of Mr. Sinclair,

The House then adjourned to meet again at ten o'clock, Tuesday.

TUESDAY, March 8th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Mr. Pou introduced

A bill to construe section 470 of the Code of Civil Procedure.

Referred to the Judiciary Committee;

Mr. Barnett introduced

A bill to amend section 11, chapter 137, of the acts of 1868 and 1869, and for other purposes.

Referred to the Judiciary Committee ;

Mr. Moore, of Chowan, introduced

A bill to provide for the publication of laws.

Referred to the Judiciary Committee ;

Brief leave of absence were granted Messrs. Blair and Smith, of Wayne.

Mr. Cherry introduced

A bill to restore the corporate powers of the trustees of the Tarboro' Academy.

Referred to the Committee on Corporations ;

Mr. Hinnant introduced

A bill for the relief of E. G. Hill, sheriff of Johnston county.

Referred to the Finance Committee ;

Mr. Malone introduced

A bill to amend chapter 3, of the laws of 1868 and 1869.

Referred to the Judiciary Committee ;

Mr. Harris, of Franklin, introduced

A bill to amend the law of chattels and mortgages.

Referred to the Judiciary Committee.

Mr. Price introduced

A bill to authorize the exchange of certain bonds issued to the Wilmington, Charlotte and Rutherford Railroad.

Referred to the Judiciary Committee.

A message was received from the Senate transmitting for consideration of the House

A resolution in favor of John Horton, Sheriff of Watauga county ;

A bill to incorporate the Tarboro' Street Railway Company ;

A bill to loan the money levied for special tax bonds to the State ;

A resolution in favor of C. T. Murphy ;

A bill to incorporate the Chesapeake and Gulf Transportation Company ;

A resolution in relation to burning of bonds;

A resolution of instruction to the Secretary of State;

A bill to repeal section 8, chapter 4, of an ordinance of the Convention;

A bill to authorize G. N. Lewis, Sheriff of Nash county, to collect arrears of taxes;

A bill to allow the Commissioners of Halifax county to levy a special tax; and

A bill to amend chapter 90 of the laws of 1868 and 1869.

Also, a message transmitting, for concurrence,

Amendments to

A bill to amend the corporation acts of Winston. Concurred in;

Amendments to

A bill to authorize the Sheriff of Cleveland county to collect arrears of taxes. Concurred in;

Amendments to

A bill to authorize the Commissioners of Burke county to levy a special tax. Concurred in;

Amendments to

A bill amendatory of an act relative to the Western Turnpike Road. Concurred in;

Amendments to

A bill to amend chapters 65 and 112 of the public laws. Concurred in;

Amendments to

A bill authorizing the transfer of county charities to the boards of commissioners of counties. Concurred in;

Amendments to

A bill to be entitled an act to supply funds for the use of the Insane Asylum, and for other purposes. Laid over;

Amendments to

A bill to charter the Bank of Statesville. Laid over.

Also, a message transmitting, for consideration of the House,

A bill to amend chapter 81, section 16, of the Revised Code.

Referred to the Judiciary Committee.

Mr. Whitley, from the Committee on Corporations, reported A bill to incorporate the American Industrial Agency, without recommendation.

The hour of ten and a half o'clock having arrived,

The House went into Committee of the Whole.

At fifteen minutes before one o'clock, the Chairman of the Committee of the Whole reported that said committee had been in session, had made progress, and asked leave to sit again.

The report was adopted.

Mr. Durham moved that the House do again, immediately, go into Committee of the Whole.

On this motion

Mr. Durham called the previous question.

The question being, "Shall the main question be now put?"

Mr. Durham called for the yeas and nays.

The call being sustained,

The House refused to sustain the call for the previous question by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Barnes, Boddie, Clayton, Davis, Durham, Farrow, Gatling, Gibson, Green, Grier, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Leary, Long of Chatham, Malone, Matheson, McCanless, McMillan, Nicholson, Painter, Pou, Proffitt, Robinson, Seymour, Shaver, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Sykes, Thompson, Welch and Williams of Sampson—42.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnett, Candler, Carson, Carey, Cawthorn, Cherry, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Hendricks, Hilliard, Hodgin, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Long of Richmond, Mayo, Mendenhall, Morrill, Morris, Pearson,

Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Sinclair, Simonds, Smith of Martin, Stevens, Stilley, Vestal, Waldrop and Wilson—49.

The question then being on the motion to go into Committee of the Whole,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnes, Boddie, Clayton, Davis, Durham, Farrow, Ferebee, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Leary, Long of Chatham, Malone, Matheson, McCanless, McMillan, Mendenhall, Nicholson, Painter, Pou, Proffitt, Robinson, Seymour, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Sykes, Thompson, Welch and Williams of Sampson—46.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnett, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Downing, Eagles, Forkner, Foster, French, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Hendricks, Hilliard, Hodgin, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Long of Richmond, Mayo, Morrill, Morris, Pearson, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Sinclair, Simonds, Stevens, Stilley, Vestal, Waldrop, Wilkie and Wilson—48.

Mr. French introduced

A resolution instructing the Committee of the Whole not to question a witness in relation to his private affairs, &c.

Mr. French moved to suspend the rules for the purpose of taking up this resolution.

On this motion

Mr. French called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Candler, Carey, Cawthorn, Cherry, Crawford, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Hilliard, Hodgin, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Long of Richmond, Mayo, Mendenhall, Moore of Chowan, Morrill, Morris, Pearson, Pou, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Snipes, Stanton, Stevens, Stilley, Sykes, Vestal, Waldrop and Wilson—52.

Those who voted in the negative were,

Messrs. Armstrong, Clayton, Davis, Durham, Farrow, Ferebee, Gibson, Green, Hawkins, Hinnant, Humphries, Ingram, Jarvis, Kelly of Davie, Leary, Long of Chatham, Malone, McMillan, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Strudwick, Thompson and Williams of Sampson—29.

The question recurring on the adoption of the resolution,

Mr. Durham moved to lay the same on the table.

On this motion

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote :

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Clayton, Davis, Durham, Farrow, Ferebee, Gibson, Grier, Hawkins, Hicks, Hinnant, Humphries, Ingram, Jarvis, Kelly of Davie, Leary, Long of Chatham, Malone, Matheson, McMillan, Mendenhall, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Strudwick, Sweat, Thompson and Williams of Sampson—34.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Hayes, Hendricks, Hodgin, Hudgings, Justus of Henderson, Kelly of

Moore, Kinney, Laflin, Long of Richmond, Mayo, Moore of Chowan, Morrill, Morris, Pearson, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Sykes, Waldrop, Wilkie and Wilson—50.

The question re-recurring on the adoption of the resolution,

Mr. Strudwick offered the following proviso as an amendment to the same, viz:

"*Provided*, That the provisions of this resolution shall not apply to any transactions in which any member of this General Assembly is concerned."

On motion of Mr. Downing,

The House adjourned to meet again at ten o'clock, Wednesday.

WEDNESDAY, March 9th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Holden in the Chair.

Prayer by Rev. Mr. Long, of the House.

Leave of absence was granted Mr. Siegrist till Monday next; to Mr. Graham for one week from Saturday next.

Mr. Matheson presented

A petition in favor of N. A. Moore.

Referred to the Committee on Propositions and Grievances.

Mr. French introduced

A bill to fund the State debt.

Referred to the Committee on Finance.

Mr. Hicks introduced

A bill in relation to Clay County Courts.

Referred to the Judiciary Committee.

Mr. Price introduced

A bill to incorporate Giblum Lodge, No. 2, F. A. M., of the city of Wilmington.

Referred to the Committee on Corporations.

Mr. Seymour, from the Judiciary Committee, reported

A bill to require a schedule for the personal property exemption, unfavorably;

A bill to amend chapter 3, of the acts of 1868 and 1869, favorably;

A bill to authorize the Judges of Probate to appoint trustees in certain cases, unfavorably;

A bill to amend title 22, section 563, of the Code of Civil Procedure, favorably;

A Senate bill relating to bonds issued to railroads under acts of 1868 and 1869, unfavorably;

A Senate bill to amend and continue in force an act suspending the Code of Civil Procedure in certain cases, unfavorably;

A bill to amend section 13 of the act to suspend the Code of Civil Procedure in certain cases, unfavorably;

A Senate bill to repeal and amend certain sections of chapter 270 of the laws of 1868 and 1869, unfavorably;

A bill to suspend the execution of *fieri facias* for the sale of land, unfavorably;

A resolution to require the committee on investigation of certain railroad bonds to report in full or in part on or before the 1st of March, 1870, favorably;

A bill to construe section 478 of the Code of Civil Procedure, unfavorably; and

A bill to provide for taking the depositions of witnesses in civil actions and special proceedings in the several courts of the State, favorably.

Mr. Durham moved that the House do now go into Committee of the Whole.

On this motion

Mr. Durham called the previous question.

The question being "Shall the main question be now put?"

Mr. Durham called for the yeas and nays.

The call being sustained,

The call for the previous question was not sustained by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnes, Boddie, Candler, Clayton, Davis, Davidson, Durham, Farrow, Ferebee, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Malone, Matheson, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Robinson, Shaver, Siegrist, Simonds, Smith of Alleghany, Strudwick, Sweat, Sykes, Thompson, Welch, Whitley and Williams of Sampson—44.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnett, Carey, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Hendricks, Hodgin, Horney, Hudgings, Justus of Henderson, Kinney, Laflin, Long of Richmond, Mayo, Mendenhall, Moore of Chowan, Morrill, Morris, Pearson, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Sinclair, Smith of Martin, Stanton, Stevens, Stilley, Vestal, Vest and Wilson—46.

The question then recurring on the motion to go into Committee of the Whole,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnes, Boddie, Candler, Clayton, Davis, Davidson, Durham, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Leary, Malone, Matheson, McCanless, McMillan,

Mendenhall, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Pou, Proffitt, Robinson, Seymour, Shaver, Siegrist, Smith of Alleghany, Stanton, Strudwick, Sweat, Sykes, Thompson, Vestal, Welch, Whitley and Williams of Sampson—51.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnett, Carey, Cawthorn, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Hilliard, Hodgin, Horney, Hudgings, Justus of Henderson, Kinney, Laflin, Long of Chatham, Long of Richmond, Mayo, Morrill, Morris, Pearson, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Sinclair, Simonds, Smith of Martin, Stevens, Stilley, Vest, Waldrop and Wilson—46.

The House then went into Committee of the Whole.

At five minutes before twelve o'clock,

The Chairman of the Committee reported that the commitee had been in session, had made some progress, and had arose for the purpose of submitting for the decision of the House, the admissibility of a question compelling a witness to give the names of members of the Legislature to whom he had loaned money, &c.

Mr. Durham moved that the witness be required to answer the last question propounded to him.

Mr. Downing moved to lay this motion on the table.

On this motion

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Harris of Wake, Hilliard, Hodgin, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Mayo, Moore of Chowan, Morrill, Morris, Pearson, Price, Proctor, Ragland, Rea, Renfrow, Reynolds,

Simonds, Smith of Martin, Stevens, Stilley, Vestal, Vest, Waldrop, Wilkie and Wilson—45.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Banner, Barnes, Boddie, Clayton, Davis, Davidson, Durham, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Leary, Malone, Matheson, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Robinson, Seymour, Shaver, Siegrist, Smith of Alleghany, Stanton, Strudwick, Sweat, Sykes, Thompson, Welch and Williams of Sampson—47.

The question recurring on the motion to require the witness to answer the last question propounded to him,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnes, Boddie, Candler, Cherry, Clayton, Davis, Davidson, Durham, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hendricks, Hicks, Hilliard, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Leary, Long of Chatham, Malone, Matheson, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Robinson, Seymour, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Strudwick, Sweat, Sykes, Thompson, Vestal, Welch, Wilkie and Williams of Sampson—55.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnett, Carson, Carey, Cawthorn, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Long of Richmond, Mayo, Moore of Chowan, Morrill, Morris, Pearson, Proctor, Ragland, Renfrow, Rey-

nolds, Sinclair, Simonds, Stevens, Stilley, Vest, Waldrop and Wilson—42.

Mr. Durham moved to go again into Committee of the Whole.

On this motion

Mr. Durham called the previous question.

The question being, "Shall the main question be now put?"

Mr. Durham called for the yeas and nays.

The call being sustained,

The call for the previous question was sustained by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Barnes, Boddie, Candler, Clayton, Davis, Davidson, Durham, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hendricks, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Leary, Long of Chatham, Malone, Matheson, McMillan, Menhenhall, Moore of Alamance, Nicholson, Painter, Pou, Price, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Martin, Stanton, Strudwick, Sweat, Sykes, Thompson, Welch and Williams of Sampson—48.

Those who voted in the negative were,

Messrs. Ames, Barnett, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Hilliard, Hodgin, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Proctor, Ragland, Rea, Renfrow, Reynolds, Siegrist, Sinclair, Simonds, Stevens, Stilley, Vestal, Vest, Waldrop, Wilkie and Wilson—47.

The question recurring on the motion to go again into Committee of the Whole,

Mr. Malone called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnes, Boddie, Candler, Clayton, Davis, Durham, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hendricks, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Leary, Long of Chatham, Malone, Matheson, McCanless, McMillan, Mendenhall, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Pou, Proffitt, Robinson, Seymour, Shaver, Siegrist, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Strudwick, Sweat, Sykes, Thompson, Vestal, Welch, Wilkie and Williams of Sampson—55.

Those who voted in the negative were,

Messrs. Ames, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Hilliard, Hodgin, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Long of Richmond, Mayo, Morrill, Morris, Pearson, Proctor, Ragland, Rea, Renfrow, Sinclair, Simonds, Stevens, Stilley, Vest, Waldrop and Wilson—41.

At twenty minutes before two o'clock,

The Chairman of the Committee of the Whole reported that the Committee had been in session, had made some progress and asked leave to rise.

The report was adopted.

Mr. Durham moved that the Chairman of the Committee of the Whole be instructed to summon M. S. Littlefield and the member from Craven, Mr. Stevens, to appear before the Committee to-morrow morning at ten o'clock.

Mr. French offered the following as a substitute for the motion, viz:

"*Resolved*, That M. S. Littlefield be and he is hereby excused from attending as a witness upon the House Committee of the Whole."

On the adoption of this substitute,

Mr. French called for the yeas and nays.

The call being sustained,

The substitute was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Barnes, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Harris of Franklin, Harris of Wake, Hayes, Hendricks, Hodgin, Hudgings, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Mayo, Moore of Chowan, Morrill, Morris, Pearson, Price, Proctor, Ragland, Rea, Renfrow, Reynolds, Sinclair, Simonds, Stilley, Vestal, Vest, Waldrop and Wilson—48.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Clayton, Davis, Durham, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Malone, Matheson, McCanless, McMillan, Mendenhall, Nicholson, Painter, Pou, Proffitt, Robinson, Seymour, Shaver, Scigrist, Smith of Alleghany, Snipes, Stanton, Strudwick, Sweat, Thompson, Welch and Williams of Sampson—41.

The motion, as amended, was then adopted.

Mr. Downing introduced and obtained a suspension of the rules upon

A resolution to rescind the resolution by which the Committee of the Whole of the House was created.

On the adoption of the resolution

Mr. Durham called for the yeas and nays.

The call being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Banner, Candler, Carson, Carey, Cawthorn, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Hendricks, Hodgin, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Long of Richmond, Mayo, Moore of Chowan, Morrill, Morris,

Pearson, Proctor, Renfrow, Reynolds, Sinclair, Simonds, Smith of Martin, Vestal, Vest, Waldrop and Wilson—44.

Those who voted in the negative were:

Messrs. Argo, Armstrong, Barnett, Boddie, Clayton, Davis, Durham, Ferebee, Gibson, Green, Grier, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Leary, Long of Chatham, Malone, Matheson, McCanless, McMillan, Mendenhall, Nicholson, Painter, Pou, Price, Proffitt, Robinson, Seymour, Shaver, Siegrist, Smith of Alleghany, Snipes, Stanton, Strudwick, Sweat, Thompson, Welch and Williams of Sampson—43.

Mr. Malone introduced

A resolution of instruction to the special commission consisting of Messrs. Bragg, Phillips and Scott.

Mr. Malone moved to suspend the rules for the purpose of taking up the resolution just introduced.

On this motion

Mr. Malone called the previous question.

The question being "Shall the main question be now put?"

Mr. Malone called for the yeas and nays.

The call being sustained,

The call for the previous question was not sustained by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Clayton, Davis, Durham, Ferebee, Gatling, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Long of Chatham, Malone, Matheson, McCanless, McMillan, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Strudwick, Thompson, Welch and Williams of Sampson—35.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Barnett, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Hendricks, Hodgin, Horney, Hudgins,

Justus of Henderson, Kelly of Moore, Kinney, Laflin, Leary, Long of Richmond, Mayo, Mendenhall, Moore of Chowan, Morrill, Morris, Pearson, Price, Proctor, Renfrow, Reynolds, Seymour, Siegrist, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Sweat, Vestal, Vest, Waldrop and Wilson—55.

The motion to suspend the rules was then rejected.

On motion of Mr. Sinclair,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

A message was received from the Senate, transmitting amendments to

A bill to amend chapter 279 of the public laws of 1868 and 1869.

A bill to raise Revenue was taken up as unfinished business,

The question recurring on the motion to amend section 11, line 5, by striking out "three gallons" and inserting "one quart."

The amendment was adopted.

Mr. Hinnant offered a proviso to section 11.

The amendment was rejected.

Mr. French moved to amend section 13, line 2, by striking out "five" and inserting "two and a half."

The amendment was adopted.

Mr. Hinnant moved to amend section 14, line 6, by striking out the word "double" and inserting after the word "receipts," line 8, the words, "and on failure to make the required bond

by his or her depositing with the Sheriff a sufficient amount in money, or its equivalent, to cover said taxes."

The amendment was adopted.

Mr. Stevens offered a proviso to the 15th section.

The amendment was adopted.

Mr. Leary moved to amend section 16 by striking out "two" and inserting "one."

The amendment was rejected.

Mr. Stevens moved to amend the same section by striking out "two" and inserting "five."

The amendment was rejected.

Mr. Foster moved to amend same section by striking out "two" and inserting "three."

The amendment was rejected.

Mr. Strudwick offered a substitute for section 17, viz:

"The tax on public ferries, toll gates, toll bridges and gates across highways, one per cent. on net receipts."

The amendment was adopted.

Mr. Foster moved to amend section 18 by striking out in line 6, "one" and inserting "two"; by striking out in line 8, "fifty" and inserting "one hundred"; by striking out in line 9, "twenty-five" and inserting "fifty."

The amendments were rejected.

Mr. Stevens moved to amend same section by striking out in line 6, the words "one hundred" and inserting "fifty"; by striking out in line 8, "fifty" and inserting "twenty-five"; by striking out in line 9, the words "twenty-five" and inserting "fifteen."

The amendments were rejected.

Mr. Painter moved to strike out section 19.

The amendment was adopted.

Mr. Foster moved to amend section 20 by inserting after "vehicles" in line 2, the words "not manufactured within this State."

The amendment was adopted.

Mr. French moved to amend section 21 by inserting after "agent," line 2, the words "to highest or lowest bidder."

The amendment was adopted.

Mr. French moved to amend section 22, line 2, by striking out "one-fourth" and inserting "one-eighth."

The amendment was rejected.

Mr. French offered a proviso to section 22, viz:

"*Provided*, That when spirituous, vinous or malt liquors are sold by commission merchants, they shall pay a tax of two and a half per cent. on their sales of such liquors."

The amendment was adopted.

Mr. Grier moved to amend section 23, line 3, by striking out "five" and inserting "two."

The amendment was adopted.

Mr. Hinnant moved to amend section 24, line 2, by striking out "thirty" and inserting "twenty."

The amendment was adopted.

Mr. Reynolds moved to amend same section, line 3, by striking out "fifteen" and inserting "ten."

The amendment was rejected.

Mr. Hinnant moved to amend section 25, line 1, by inserting after the word "practitioner" the word "lawyer."

The amendment was adopted.

Mr. Strudwick offered a proviso to section 25, viz:

"*Provided*, That the traveling from county to county for his professional business shall not cause him to be considered an itinerant lawyer."

Mr. Harris, of Wake, moved a reconsideration of the vote by which the word "lawyer" was inserted in line 1, section 25.

The motion prevailed.

The question recurring on the adoption of the amendment inserting "lawyer,"

The amendment was rejected.

Mr. Strudwick withdrew his proviso.

Mr. French offered a new section, to be titled "section 26."

The amendment was rejected.

Mr. Strudwick moved to amend section 26 by striking out all after the word "otherwise," in line 4, to the word "shall," in line 6.

The amendment was adopted.

Mr. Stevens moved to amend section 26, line 7, by striking out the words "who may, in their discretion, make or refuse."

The amendment was adopted.

Mr. Stevens moved to amend section 26, line 12, by striking out "twenty" and inserting "ten."

Pending which,

Mr. Proctor moved to adjourn.

On this motion,

Mr. Proctor called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Crawford, Hayes, Hudgings, Kelly of Moore, Long of Chatham, McCanless, Morrill, Proctor, Sykes and Wilson—10.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Barnett, Boddie, Carson, Cawthorn, Clayton, Davis, Durham, Eagles, Ferebee, Forkner, Foster, French, Graham, Grier, Gunter, Harris of Wake, Hawkins, Hicks, Hinnant, Hodgin, Horney, Humphries, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Long of Richmond, Matheson, Mayo, McMillan, Moore of Chowan, Morris, Nicholson, Painter, Pearson, Pou, Shaver, Smith of Alleghany, Stevens, Stilley, Strudwick, Sweat, Thompson, Vestal, Vest, Welch, Whitley and Williams of Sampson—52.

The question recurring on the amendment offered by Mr. Stevens,

The amendment was adopted.

Mr. Nicholson moved to amend section 27 by adding thereto the words " and every threshing machine brought from another State, and used by persons of another State for the purpose of threshing grain, five dollars."

The amendment was rejected.

Mr. Strudwick moved to amend section 27 by striking out, in line 2, the word " five " and inserting " fifteen."

Mr. Foster moved to amend the amendment by striking out " fifteen " and inserting " two and a half."

The amendment to the amendment was rejected.

The question recurring on the amendment offered by Mr. Strudwick,

The amendment was rejected.

Mr. Barnett moved to strike out section 27.

The amendment was rejected.

Mr. Smith, of Alleghany, offered a substitute for section 27.

The amendment was rejected.

On motion of Mr. French,

The House adjourned to meet again at ten o'clock, Thursday.

THURSDAY, March 10th, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the Chair.

Prayer by Rev. Mr. Shaver, of the House.

Brief leaves of absence were granted Messrs. Hayes, Matheson and White.

Mr. Hinnant, from the Committee on Finance, reported

A bill for the relief of the sureties of J. W. C. Piercy, favorably;

A bill for the benefit of William Tipton, of Clay county, favorably;

A bill for the relief of E. G. Hill, Sheriff of Johnston, favorably;

A bill to fund the State debt, favorably, as amended; and

A bill to amend the Constitution of the State, recommending its reference to the Committee on Propositions and Grievances.

Mr. Moore, from the Judiciary Committee, reported

A bill to provide for the publication of laws, favorably.

Mr. Barnett, from the Committee on Corporations, reported

A bill to incorporate the Glen Alpine Springs Company, favorably; and

A bill to incorporate Giblum Lodge, No. 2, F. A. Y. Masons, of Wilmington, favorably.

Mr. Ashworth introduced

A resolution to allow the Engrossing Clerk *per diem* due on last session.

Laid over.

Mr. French introduced

A bill in relation to special tax moneys now in the Treasury.

Laid over.

Mr. Kinney introduced

A bill to incorporate the Stith Copper Company.

Laid over.

Mr. Franklin introduced

A bill to amend an act concerning the government of counties.

Laid over.

Mr. Sinclair introduced

A bill to repeal an act to allow citizens of North Carolina to practice in the courts of the State.

Laid over.

Mr. Matheson introduced

A bill to authorize the transfer of convicts from county prisons to the State Penitentiary.

Referred to the Judiciary Committee.

Mr. Foster introduced

A resolution prohibiting the payment of *per diem* from and after the 14th inst.

Laid over.

Mr. Durham introduced

A bill to incorporate the Western Central Railroad Company.

Referred to the Committee on Internal Improvements.

Mr. Snipes introduced

A bill to authorize the Commissioners of Hertford county to levy a special tax.

Laid over.

A bill in relation to special tax moneys now in the Treasury

Passed its second and third readings.

A motion to reconsider the last vote was made and laid on the table.

The House reconsidered the vote by which it concurred in Senate amendments to a bill to incorporate the town of Milton.

Mr. Hodnett moved to amend sections 1 and 2 by striking out the word "next" and inserting the figures "1870."

The amendments were adopted, and

The bill passed its final reading.

The House concurred in the Senate amendments to

A bill to charter the Bank of Statesville.

A bill to repeal section 15, chapter 277, of the laws of 1868 and 1869,

Passed its second and final reading.

A bill concerning the maintenance of convicts was taken up.

The amendments offered by the Judiciary Committee were adopted.

Mr. Malone offered an additional section, to be titled "section 3," and

Mr. Whitley a proviso to the same.

The amendments were adopted, and the bill

Passed its second and third readings.

The following named bills passed their second and third readings:

A bill to amend title 20, chapter 2, section 563, of the Code of Civil Procedure;

A bill to provide for the appointment of processioners for the several counties of the State;

A bill to provide for amercements of sheriffs and constables in justices' courts;

A bill to regulate appeals from justices' courts in certain cases;

A bill to provide for taking depositions of witnesses in civil actions and special proceedings in the several courts of the State;

A bill to amend chapter 3 of the acts of 1868 and 1869:

A bill to make uniform the mode of procedure;

A bill to provide for the publication of the laws; and

A bill to amend chapter 167 of the laws of 1868 and 1869.

A bill requiring owners of toll bridges and ferries to give bonds

Passed second reading.

On the third reading of the bill,

Mr. Ferebee called for the yeas and nays.

The call being sustained,

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnett, Carson, Carey, Cawthorn, Cherry, Davis, Dixon, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Gunter, Hendricks, Hinnant, Hodnett, Hudgings, Kelly of Moore, Leary, Long of Chatham, Malone, Mayo, McCanless, McMillan, Moore of Chowan, Morrill, Pou, Price, Proctor, Reynolds, Seymour, Snipes, Stanton, Thompson, Vest and Wilson—40.

Those who voted in the negative were,

Messrs. Boddie, Candler, Clayton, Durham, Farrow, Fer-

ebee, Gatling, Gibson, Green, Grier, Hawkins, Humphries, Justus of Henderson, Kelly of Davie, Long of Richmond, Morris, Nicholson, Painter, Pearson, Proffitt, Shaver, Smith of Alleghany, Stevens, Waldrop, Welch, Whitley and Williams of Sampson—27.

A bill to facilitate appeals in State cases was taken up.

The substitute offered by the Judiciary Committee was adopted and

The bill passed its second and third readings.

Mr. Snipes introduced

A resolution expressing the sense and sympathy of the House in relation to the death of the late member from Northampton, Roswell C. Parker.

The resolution was unanimously adopted.

On motion of Mr. Moore, of Chowan,

The House adjourned to meet again at ten o'clock, Friday.

FRIDAY, March 11th, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the Chair.

Prayer by Rev. Mr. Morris, of the House.

Brief leaves of absence were granted Messrs. Kinney, Clayton and French.

Mr. Graham, from the Committee on Internal Improvements, reported

A bill to incorporate the Western Central Railroad Company, favorably.

Mr. French, from the special committee of five, to whom was referred

A bill to regulate pilotage at Hatteras and Ocracoke inlets

Reported the same with a substitute.

Mr. Stilley introduced

A bill to authorize the sale of certain lands.

Referred to the Committee on Education.

Mr. Leary introduced

A bill to incorporate Eureka Lodge, No. 3, F. and A. M., in Cumberland county.

Laid over.

Mr. Morris introduced

A bill to incorporate King Solomon Lodge, No. 1, F. and A. M., of Craven county.

Laid over.

Mr. Price introduced

A bill to amend title 21 of the Code of Civil Procedure.

Referred to the Judiciary Committee.

A Senate bill to amend the incorporation of the town of Pittsboro', in the county of Chatham,

Passed second and third readings.

Mr. Vestal moved to suspend the rules for the purpose of taking up

A Senate bill concerning election and registration in the year 1870.

On this motion

Mr. Argo called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnes, Boddie, Clayton, Davis, Durham, Farrow, Ferebee, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hendricks, Hicks, Hodnett, Humphries, Jarvis, Kelly of Davie, Malone, McMillan, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Strudwick, Thompson, Vestal, Welch, Whitley and Williams of Sampson—35.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Candler, Carson, Carey, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster,

Franklin, French, Gahagan, Gilbert, Harris of Wake, Hilliard, Hodgin, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Sweat, Sykes, Vest, Waldrop, Wilkie and Wilson—56.

A bill to raise Revenue was taken up.

Mr. Strudwick moved to amend section 29, line 3, by striking out the words "horse-trading, tinkering."

The amendment was adopted.

Mr. Hinnant moved to amend section 30, line 13, by striking out all after the word "imposed" down to the word "to," in line 18, and inserting the words "or by his depositing a sufficient amount of money with said sheriff as will cover the tax of his sales in said county. Any person violating the provisions of this paragraph, and section 14 of this act, shall be deemed guilty of a petty misdemeanor, and upon conviction before any magistrate, shall be fined not exceeding fifty dollars, or imprisoned not exceeding one month, and shall forfeit and pay, besides, two hundred dollars."

The amendment was adopted.

Mr. Hinnant moved to amend section 30, line 5, by striking out the word "five" and inserting the word "ten."

The amendment was adopted.

Mr. Hinnant moved to amend by striking out section 32.

The amendment was adopted.

Mr. Hinnant moved to amend further by striking out section 36.

The amendment was adopted.

Mr. Strudwick offered an additional section to be titled "section 2,"—(Schedule C.)

Mr. Foster moved to amend the same by inserting before the word "insurance" the word "foreign."

The amendment was rejected.

The amendment offered by Mr. Strudwick was then adopted.

On motion of Mr. Ames,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. French, from the Committees on Education and Counties and Townships, reported

A bill to provide revenue for the public schools, unfavorably;

A bill to amend an act to provide for a system of public schools;

A bill to amend an act relative to the Western Turnpike Road leading from Asheville to Murphy, favorably;

A bill to authorize the sale of public lands, favorably, with amendments;

A bill to amend section 53, chapter 184, of the public laws of 1868 and 1869, favorably; and

A bill to cause the county Treasurer to pay school claims, unfavorably.

The bill to raise revenue was taken up as unfinished business.

Mr. Hinnant moved to amend section 2, schedule C, by inserting after the word "dollars," the words "on each quarter."

The amendment was adopted.

Mr. Moore, of Chowan, offered the following as a proviso to section 2, schedule C, viz:

"*Provided*, That nothing in this section shall prevent the County Commissioners from levying a tax on the subject in

this section, in accordance with article 5, section 7, of the Constitution."

On the adoption of this amendment,

Mr. Moore called for the yeas and nays.

The call being sustained,

Mr. Whitley moved that the amendment be referred to a special committee of five, to be appointed by the Speaker, and that the report of said committee be made special for tomorrow (Saturday) at 11 o'clock.

The motion prevailed.

Mr. Hodnett moved to amend section 4, line 1st, by striking out the words "marriage license."

The amendment was rejected.

Mr. Hinnant offered an additional section, to be titled "section 7;"

Also,

An additional section, to be titled "section 8."

The amendments were adopted.

The Speaker appointed the following named gentlemen to constitute the special committee of five authorized on motion of Mr. Whitley, viz: Messrs. Moore of Chowan, Strudwick, Harris of Wake, Whitley and French.

Mr. Hinnant moved to amend section 1, class 1, by adding thereto the words "except special taxes for county purposes ratified previous to the ratification of this act."

The amendment was adopted.

Mr. French moved to amend section 22, line 2, by striking out the words "one-fourth" and inserting "one-eighth."

The amendment was adopted.

The bill then passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Banner, Barnett, Barnes, Candler, Carson, Carey, Cawthorn, Cherry, Dixon, Eagles, Farrow, Forkner, Foster, Franklin, French, Gahagan, Graham, Grier, Hendricks,

Hinnant, Horney, Ingram, Justus of Henderson, Kelly of Moore, Kinney, Long of Richmond, Mayo, McCanless, Mendenhall, Morris, Pearson, Price, Snipes, Stanton, Stevens, Vestal, Vest, Welch and Wilson—40.

Those who voted in the negative were.

Messrs. Argo, Armstrong, Boddie, Davis, Durham, Ferebee, Gibson, Green, Gunter, Harris of Wake, Hawkins, Hodgin, Hodnett, Humphries, Hudgings, Jarvis, Kelly of Davie, Long of Chatham, McMillan, Moring, Moore of Chowan, Nicholson, Painter, Pou, Proctor, Proffitt, Ragland, Renfrow, Robinson, Shaver, Smith of Alleghany, Smith of Martin, Strudwick, Sweat, Sykes, Thompson, Whitley and Williams of Sampson—38.

Mr. Jarvis moved to suspend the rules for the purpose of taking up

A Senate bill concerning election and registration in the year 1870.

On this motion,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnett, Barnes, Boddie, Durham, Ferebee, Gibson, Green, Grier, Gunter, Hawkins, Hendricks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Robinson, Shaver, Smith of Alleghany, Strudwick, Thompson, Vestal, Welch, Whitley and Williams of Sampson—34.

Those who voted in the negative were,

Messrs. Ashworth, Banner, Candler, Carson, Carey, Cherry, Dixon, Eagles, Forkner, Franklin, French, Gahagan, Graham, Harris of Wake, Hodgin, Hudgings, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morris, Pearson, Proctor, Renfrow, Smith

of Martin, Snipes, Stanton, Stevens, Stilley, Sweat, Sykes, Vest and Wilson—36.

A bill to provide for the collection of taxes by the State and by the several counties of the State on property, polls and income, was taken up.

Mr. Moore, of Chowan, moved to postpone this bill for the purpose of taking up

A bill to secure the construction of the Western Division of the Western North Carolina Railroad Company.

On this motion,

Mr. Moore called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Barnett, Candler, Carey, Eagles, Forkner, Gahagan, Graham, Justus of Henderson, Kinney, Mayo, Moore of Chowan, Morris, Painter, Proctor, Proffitt, Sykes, Vest, Welch and Wilson—19.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Banner, Boddie, Carson, Cawthorn, Durham, Ferebee, Franklin, Gibson, Green, Grier, Gunter, Hawkins, Hendricks, Hinnant, Hodnett, Horney, Humphries, Hudgings, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, McCanless, McMillan, Moore of Alamance, Pearson, Pou, Robinson, Shaver, Smith of Alleghany, Stanton, Strudwick, Sweat, Thompson, Vestal, Whitley and Williams of Sampson—42.

A bill to provide for the collection of taxes, &c., was then taken up.

Mr. Jarvis offered a substitute for subdivision 3 of section 9.

The amendment was adopted.

Also, a substitute for subdivision 7 of same section.

The amendment was adopted.

Mr. Long, of Chatham, moved to amend section 9, subdivision 2, line 2, by inserting after the word "hogs" the word "dogs."

The amendment was rejected.
On motion of Mr. Franklin,
The House adjourned to meet again at ten o'clock, Saturday.

SATURDAY, March 12th, 1870.

The House met pursuant to adjournment,
Mr. Mendenhall in the Chair.
Prayer by Rev. Mr. Shaver, of the House.
Mr. Robinson introduced
A resolution in favor of W. H. & R. S. Tucker.
Laid over.
Mr. Vestal introduced
A resolution on adjournment.
Laid over.
Mr. Snipes introduced
A resolution concerning the *per diem* of the late R. C. Parker.
Laid over.
A resolution concerning disabled soldiers was
Adopted.
Mr. Argo introduced
A bill to constitute Alida Carey Lyle the heir of Dr. J. J. Smith, of Martin county, and of his wife Sarah A. Smith.
Passed second and third readings.
A bill to amend the charter of the town of Salem
Passed second and third readings.
A bill to authorize the Commissioners of Craven county to levy a special tax
Passed its final reading by the following vote:
Those who voted in the affirmative were,
Messrs. Ashworth, Barnett, Barnes, Carson, Carey, Crawford,

Dixon, Farrow, Ferebee, Franklin, French, Gahagan, Green, Hilliard, Horney, Humphries, Hudgings, Ingram, Long of Richmond, Mendenhall, Moore of Alamance, Moore of Chowan, Morris, Pearson, Rea, Robinson, Reynolds, Seymour, Simonds, Snipes, Stanton, Stevens, Sweat, Thompson, Vestal, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—40.

Those who voted in the negative were,

Messrs. Armstrong, Candler, Durham, Eagles, Foster, Gunter, Harris of Wake, Hawkins, Hicks, Hodnett, Jarvis, Kelly of Davie, Kelly of Moore, Malone, Mayo, McMillan, Nicholson, Painter, Proctor, Ragland, Robbins, Shaver and Smith of Alleghany—23.

A bill to amend the charter of the town of Edenton

Passed second and third readings.

A Senate bill for the relief of C. L. Allred was taken up.

Mr. Kelly, of Moore, moved to amend the bill by striking out the word "first" and inserting the word "fifteenth."

The amendment was adopted, and the bill

Passed its second and third readings.

The private calendar being now regularly in order,

Mr. Vestal moved to dispense with the call of the same for the purpose of taking up a bill to provide for the collection of taxes, &c.

On this motion,

Mr. Vestal called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Candler, Carson, Davis, Green, Hawkins, Hendricks, Hodnett, Ingram, Jarvis, Malone, McMillan, Pearson, Pou, Smith of Alleghany and Vestal—18.

Those who voted in the negative were,

Messrs. Argo, Barnett, Boddie, Carey, Cherry, Crawford, Dixon, Durham, Eagles, Farrow, Ferebee, Foster, French, Gahagan, Gatling, Grier, Gunter, Harris of Wake, Hicks,

Hodgin, Horney, Humphries, Hudgings, Justus of Henderson, Long of Richmond, Mayo, McCanless, Moore of Alamance, Moore of Chowan, Morrill, Nicholson, Painter, Proctor, Proffitt, Ragland, Rea, Renfrow, Robbins, Robinson, Reynolds, Snipes, Stanton, Stevens, Strudwick, Sykes, Thompson, Vest, Waldrop, Wilkie, Williams of Sampson and Wilson—51.

A Senate bill to authorize the Commissioners of Sampson county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Barnett, Boddie, Carson, Davis, Dixon, Downing, Ferebee, French, Gahagan, Green, Harris of Franklin, Harris of Wake, Humphries, Long of Chatham, Long of Richmond, Malone, McCanless, McMillan, Moore of Alamance, Moore of Chowan, Morris, Pearson, Peck, Proffitt, Robbins, Robinson, Reynolds, Snipes, Stanton, Stevens, Thompson, Waldrop, Whitley, Wilkie, Williams of Sampson and Wilson —37.

Those who voted in the negative were,

Messrs. Argo, Ashworth, Banner, Candler, Crawford, Eagles, Foster, Franklin, Gibson, Graham, Grier, Gunter, Hawkins, Hendricks, Hicks, Ingram, Justus of Henderson, Mayo, Nicholson, Painter, Pou, Proctor, Renfrow, Simonds and Strudwick —25.

Mr. French introduced

A bill in relation to the Public Printing.

Laid over.

Mr. Pou introduced

A bill to incorporate the Warren Savings Bank, of the town of Warrenton, N. C.

Referred to the Commitee on Corporations.

Mr. French moved to suspend the rules for the purpose of taking up

A bill in relation to the Public Printing.

On this motion,

Mr. French called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnett, Carson, Carey, Crawford, Dixon, Downing, Eagles, Franklin, French, Gahagan, Harris of Wake, Horney, Hudgings, Long of Richmond, Mayo, McCanless, Pearson, Proctor, Renfrow, Seymour, Snipes, Stevens and Sykes—24.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Banner, Boddie, Candler, Cherry, Davis, Durham, Ferebee, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hendricks, Hicks, Hodgin, Hodnett, Ingram, Jarvis, Kelly of Davie, Leary, Long of Chatham, McMillan, Moore of Chowan, Nicholson, Painter, Pou, Proffitt, Robbins, Robinson, Reynolds, Smith of Alleghany, Strudwick, Thompson, Vestal, Waldrop, Welch, Whitley, Williams of Sampson and Wilson—42.

A Senate bill to authorize the Commissioners of Onslow county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Banner, Boddie, Carson, Carey, Cherry, Crawford, Davis, Dixon, Downing, Ferebee, Franklin, French, Gahagan, Green, Harris of Franklin, Harris of Wake, Hodgin, Hudgings, Kelly of Davie, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Alamance, Moore of Chowan, Pearson, Robinson, Seymour, Simonds, Smith of Martin, Snipes, Stanton, Thompson, Whitley, Wilkie, Williams of Sampson and Wilson—39.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Candler, Eagles, Foster, Gatling, Gibson, Grier, Gunter, Hawkins, Hendricks, Hicks, Hinnant, Hodnett, Horney, Ingram, Justus of Henderson, McMillan, Nicholson, Painter, Pou, Proctor, Proffitt, Renfrow, Reynolds, Shaver, Smith of Alleghany, Strudwick, Vestal, Waldrop and Welch—32.

A bill to authorize the sheriff of Cherokee county to make title to W. A. Strange of certain tracts of land

Passed its final reading.

A bill in relation to township elections in the counties of Chowan, Polk, Washington and Gates

Passed its second and third readings.

A bill to authorize the issue of grants by the State in certain cases

Passed its second and third readings.

A Senate bill to cede to the United States of America jurisdiction over certain lands in Craven county

Passed its second and third readings.

A bill to refund to the county of Stokes was

Laid on the table.

A Senate bill to incorporate the town of Black Creek

Passed its second and third readings.

A Senate bill to incorporate the Wilson Collegiate Seminary for young ladies

Passed its second and third readings.

The House concurred in Senate amendments to a bill in favor of Hugh B. Guthrie.

A bill to amend the corporation of the town of Hendersonville

Passed its second and third readings.

A bill to amend chapter 120, private laws of 1868 and 1869,

Passed its second and third readings.

A bill to amend the charter of the town of Charlotte was

Laid on the table.

A bill to incorporate the Farmers and Mechanics' Life Assurance Association

Passed second and third readings.

Mr. Farrow introduced

A bill to incorporate Atlantic Lodge, No. 294, of Free and Accepted Masons, in Swanquarter, in Hyde county.

Laid over.

Mr. Dixon introduced

A bill to amend chapter 42 of the private laws of 1868 and 1869.

Laid over.

Mr. Moore, of Chowan, introduced

A resolution allowing bills to be transmitted from either House without being engrossed, in certain cases.

Adopted under suspension of the rules.

A Senate bill to authorize the levying of a special tax in Alamance county

Passed second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Banner, Barnett, Barnes, Boddie, Carson, Carey, Cherry, Crawford, Davis, Dixon, Durham, Farrow, Ferebee, Franklin, French, Gahagan, Gibson, Grier, Harris of Wake, Hodgin, Hudgings, Justus of Henderson, Kelly of Davie, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Moore of Alamance, Morris, Proffitt, Robbins, Robinson, Seymour, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Strudwick, Thompson, Vestal, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—50.

Those who voted in the negative were,

Messrs. Argo, Ashworth, Candler, Eagles, Foster, Hawkins, Hendricks, Hicks, Hinnant, Nicholson, Painter, Peck, Pou, Proctor, Shaver and Smith of Alleghany—16.

A bill to prevent the destruction of certain species of game in Granville county was

Rejected on final reading.

A bill to incorporate the Shelby and South Carolina Railroad Company

Passed second and third readings.

A bill to incorporate the Planters and Merchants' Railway Company was taken up.

Mr. French offered two additional sections to the bill, to be titled "section 7" and "section 8."

Mr. McMillan moved to indefinitely postpone the bill.

The motion prevailed.

Mr. French moved to reconsider the vote just taken.

Mr. McMillan moved to lay this motion on the table.

On this motion,

Mr. McMillan called for the yeas and nays.

The call being sustained,

The motion to table failed by the following vote:

Those who voted in the affirmative were,

Messrs. Candler, Clayton, Davis, Gibson, Gunter, Hicks, Hilliard, Mayo, McMillan, Morris, Painter, Shaver, Smith of Alleghany, Stevens and Sweat—15.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Boddie, Carson, Carey, Dixon, Downing, Durham, Foster, Franklin, French, Green, Grier, Hendricks, Hodgin, Horney, Hudgings, Laflin, Leary, Long of Chatham, Long of Richmond, McCanless, Moore of Chowan, Pou, Proctor, Ragland, Renfrow, Robbins, Robinson, Reynolds, Seymour, Smith of Martin, Stanton, Strudwick, Thompson, Vestal, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—43.

On motion of Mr. Sweet,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. Proctor moved to adjourn.

On this motion,

Mr. Hendricks called for the yeas and nays.

The call being sustained,

The motion failed for want of a quorum, as follows:

Those who voted in the affirmative were,

Messrs. Proctor and Sinclair—2.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Boddie, Durham, Foster, French, Gahagan, Gibson, Grier, Hawkins, Hendricks, Hicks, Hilliard, Hodgin, Hodnett, Humphries, Kelly of Davie, Laflin, Long of Richmond, McCanless, McMillan, Nicholson, Rea, Renfrow, Shaver, Smith of Alleghany, Smith of Martin, Snipes, Stevens, Stilley, Strudwick, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—36.

Mr. Hodgin introduced

A bill supplemental to an act to incorporate the Planters' Railroad Company.

Laid over.

A bill to authorize the Commissioners of Hertford county to levy a special tax was taken up.

Mr. Snipes offered a substitute for the same.

The substitute was adopted.

The bill then failed to pass its second reading for want of a quorum voting, as follows:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Durham, Gahagan, Gibson, Green, Harris of Wake, Hodgin, Humphries, Ingram, Laflin, Long of Richmond, Mayo, McCanless, McMillan, Robbins, Snipes, Stanton, Stevens, Strudwick, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Sampson and Wilson—29.

Those who voted in the negative were,

Messrs. Boddie, Ferebee, Grier, Hawkins, Hendricks, Hicks, Hilliard, Hinnant, Hodnett, Horney, Justus of Henderson, Kelly of Davie, Malone, Nicholson, Painter, Pou, Proctor, Rea, Renfrow, Shaver, Smith of Alleghany and Smith of Martin—22.

Mr. Malone moved a call of the House.

The motion prevailed.

The roll was called and the following members answered to their names:

Messrs. Ames, Armstrong, Ashworth, Boddie, Davidson, Durham, Ferebee, French, Gahagan, Gibson, Green, Grier, Harris of Wake, Hawkins, Hendricks, Hicks, Hilliard, Hinnant, Hodgin, Hodnett, Horney, Humphries, Ingram, Justus of Henderson, Kelly of Davie, Laflin, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Morrill, Nicholson, Painter, Pou, Proctor, Rea, Renfrow, Robbins, Shaver, Sinclair, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Strudwick, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Sampson and Wilson—57.

On motion of Mr. Durham,

Further proceedings under the call were dispensed with.

A bill to authorize the Commissioners of Hertford county to levy a special tax

Passed second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Boddie, Davidson, Dixon, Durham, Gahagan, Gibson, Green, Harris of Franklin, Harris of Wake, Hodgin, Humphries, Ingram, Laflin, Long of Richmond, Mayo, McCanless, Mendenhall, Morrill, Morris, Robbins, Snipes, Stanton, Stevens, Stilley, Sweat, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Sampson and Wilson—37.

Those who voted in the negative were,

Messrs. Grier, Hawkins, Hendricks, Hicks, Hilliard, Hinnant, Hodnett, Horney, Justus of Henderson, Kelly of Davie, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proctor, Rea, Renfrow, Shaver, Sinclair, Smith of Alleghany, Smith of Martin and Strudwick—24

A Senate bill to authorize the Commissioners of Bertie county to levy a special tax

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Davidson, Eagles, Ferebee, Gahagan, Gibson, Green, Harris of Franklin, Harris of Wake, Hodgin, Humpries, Ingram, Laflin, Leary, Long of Richmond, Malone, Mayo, McCanless, Hendenhall, Morrill, Morris, Rea, Robbins, Reynolds, Snipes, Stanton, Stevens, Sykes, Thompson, Vestal, Vest, Waldrop, Whitley, Williams of Sampson and Wilson—37.

Those who voted in the negative were,

Messrs. Boddie, Durham, Grier, Hawkins, Hendricks, Hicks, Hilliard, Hinnant Hodnett, Horney, Justus of Henderson, Kelly of Davie, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proctor, Renfrow, Shaver, Sinclair, Smith of Alleghany, Smith of Martin and Sweat—24.

Senate bill to authorize the Commissioners of Anson county to levy a special tax

Passed second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Boddie, Davidson, Durham, Ferebee, Gahagan, Green, Harris of Franklin, Harris of Wake, Hendricks, Hodgin, Humphries, Ingram, Jarvis, Justus of Henderson, Laflin, Leary, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Morrill, Morris, Renfrow, Robbins, Reynolds, Sinclair, Simonds, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Stevens, Strudwick, Sweat, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Sampson and Wilson—48.

Those who voted in the negative were,

Messrs. Armstrong, Eagles, Gibson, Grier, Hawkins, Hicks, Hilliard, Hinnant, Kelly of Davie, Nicholson, Painter, Pou, Proctor, Rea and Shaver—15.

A bill authorizing the Commissioners of Yancey county to levy a special tax was taken up.

Mr. Painter moved to amend by a proviso submitting the question to the people of Yancey county, &c.

The amendment was adopted; and

The bill passed second reading by the following vote:

Those who voted in the affirmative were:

Messrs. Ames, Armstrong, Ashworth, Barnett, Boddie, Davidson, Dixon, Durham, Ferebee, Gahagan, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hendricks, Hinnant, Hodgin, Hodnett, Humphries, Ingram, Justus of Henderson, Kelly of Davie, Laflin, Leary, Long of Richmond, Malone, Mayo, McCanless, Mendenhall, Moore of Alamance, Morrill, Morris, Price, Renfrow, Robbins, Reynolds, Smith of Alleghany, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Strudwick, Sweat, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Sampson and Wilson—54.

Those who voted in the negative were,

Messrs. Eagles, Hicks, McMillan, Nicholson, Painter, Pou, Proctor, Rea, Shaver and Sinclair—10.

A Senate bill to authorize the Commissioners of Wilkes county to levy a special tax

Passed second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Barnett, Boddie, Davidson, Dixon, Durham, Eagles, Ferebee, Gahagan, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hendricks, Horney, Humphries, Ingram, Justus of Henderson, Kelly of Davie, Laflin, Leary, Long of Richmond, Malone, Moyo, McCanless, Mendenhall, Moore of Alamance, Morrill, Rea, Renfrow, Robbins, Reynolds, Smith of Alleghany, Snipes, Stanton, Stevens, Stilley, Strudwick, Sweat, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Sampson and Wilson —51.

Those who voted in the negative were,

Messrs. Hicks, Hilliard, Hinnant, Hodnett, McMillan, Nicholson, Painter, Pou, Proctor, Shaver and Sinclair—11.

A bill to authorize the Commissioners of Columbus county to correct their report

Passed second and third readings.

A bill to authorize the Commissioners of Gaston county to levy a special tax

Passed second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Boddie, Crawford, Davis, Davidson, Dixon, Ferebee, Gahagan, Green, Harris of Franklin, Hodgin, Ingram, Leary, Long of Richmond, Mayo, McCanless, Mendenhall, Morris, Rea, Robbins, Smith of Martin, Stanton, Stevens, Stilley, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Sampson and Wilson—34.

Those who voted in the negative were,

Messrs. Armstrong, Clayton, Durham, Eagles, Gibson, Grier, Hawkins, Hendricks, Hicks, Hinnant, Hodnett, Horney, Justus of Henderson, Kelly of Davie, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proctor, Renfrow, Reynolds, Shaver, Smith of Alleghany, Strudwick and Sweat—27.

The following named bills

Passed their second and third readings, viz:

A bill to restore the corporate powers of the Trustees of the Tarboro' Academy;

A bill to incorporate Eureka Lodge, No. 3, of F. and A. M., in the county of Cumberland;

A Senate bill to incorporate the Chesapeake and Gulf Transportation Company;

A bill to incorporate the Georgetown and Charlotte Railroad Company;

A bill to amend an act to establish a turnpike road from Marion, in McDowell county, to Asheville, in Buncombe county;

A bill to prevent the felling of timber in French Broad River, Mills River, and Clear Creek;

A bill to make a portion of Haw River a lawful fence;

A Senate bill to amend the charter of the town of Greenville;

A bill to incorporate Salem Lodge, No. 289, A. Y. M.;

A bill to grant the consent of the State of North Carolina to the purchase, by the United States, of certain lands, for the purpose of erecting thereon a building for the accommodation of the custom house, &c., at Newbern;

A Senate bill to incorporate Rockford Lodge, A. Y. M.;

A bill to incorporate King Solomon Lodge;

A bill for the benefit of William Tipton, of Clay county;

A bill to prevent the felling of trees into the waters of Town Fork;

A bill to incorporate the Masonic Temple Association, of the city of Charlotte; and

A bill to incorporate the Nag's Head Hotel Company.

On motion of Mr. Leary,

The House adjourned to meet again at ten o'clock, Monday.

MONDAY, March 14, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the Chair.

Prayer by Rev. Mr. Long, of the House.

Brief leave of absence was granted Messrs. Siegrist, Blair, Harris, of Franklin, and Humphries; to Mr. Shaver, indefinitely; to Mr. Banner, till end of session.

Mr. Malone introduced

A resolution in aid of the Institution for the Deaf and Dumb and the Blind.

Laid over.

Mr. Painter introduced

A bill to compensate school committees.

Referred to the Committee on Education.

Mr. Snipes introduced

A bill to authorize the Commissioners of Hertford county to sell part of the land belonging to the poor house.

Laid over.

Mr. Durham introduced

A resolution to change the time of daily meeting from ten to nine o'clock.

Taken up, under suspension of the rules.

Mr. Robinson moved to amend the resolution by striking out "nine," and inserting "nine and a half."

The amendment was adopted, and

The resolution was adopted.

Mr. Stilley introduced

A bill to amend chapter 279, title 21, of the Code of Civil Procedure.

Referred to the Committee on Salaries and Fees.

Mr. Barnett introduced

A bill conferring discretionary powers on county commissioners in certain cases.

Laid over.

Mr. Leary introduced

A bill to amend an act entitled an act to charter the Bank of Cumberland.

Laid over.

A bill to provide for the collection of taxes by the State and by the several counties of the State, on property, polls and income was taken up.

Mr. Hinnant offered an additional subdivision to section 11, to be titled "subdivision 6."

The amendment was adopted.

Mr. Ashworth moved to amend section 14, line 4, by striking out the words "last Monday in March" and inserting "fifteenth day of May."

The amendment was adopted.

Mr. Durham moved to amend section 15, line 4, by striking out "May" and inserting "June."

The amendment was adopted.

The same amendment was made in line 2, section 16.

Mr. Hinnant moved to amend section 20, line 9, by striking out "third Monday in June" and inserting "second Monday in July."

The amendment was adopted.

Mr. Hinnant moved to amend section 21, line 2, by striking out "July" and inserting "August."

The amendment was adopted.

Mr. Painter moved to amend section 23, line 5, by striking out "three" and inserting "five."

The amendment was adopted.

Mr. Moore, of Chowan, moved to amend section 25, by striking out all down to the word "all," line 2.

The amendment was adopted.

Mr. Welch moved to amend section 26, line 3, by striking out "July" and inserting "September."

The amendment was adopted.

Mr. Hinnant moved to amend section 34 by inserting after the word "delinquent," the words "the Auditor shall deduct from the sum as returned."

The amendment was adopted.

Mr. Stevens moved to amend section 36, line 4, by striking out "one" and inserting "ten."

The amendment was adopted.

Mr. Vestal moved to amend section 11, line 15, by inserting after the word "apparel" the words "or provisions."

On the adoption of this amendment

Mr. Gunter called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Boddie, Candler, Carson, Carey, Cawthorn, Cherry, Clayton, Dixon, Downing, Durham, Eagles, Ferebee, Forkner, Franklin, Gahagan, Gatling, Gibson, Green, Grier, Gunter, Harris of Wake, Hawkins, Hendricks, Hilliard, Hinnant, Hodnett, Hoffman

Horney, Humphries, Hudgings, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanles, McMillan, Moore of Chowan, Morrill, Nicholson, Painter, Peck, Proffitt, Ragland, Robinson, Reynolds, Shaver, Simonds, Smith of Alleghany, Snipes, Strudwick, Thompson, Vestal, Vest, Waldrop, Welch, Williams of Sampson and Wilson—66.

Those who voted in the negative were,

Messrs. Hodgin, Jarvis, Morris, Proctor and Stanton—5.

Mr. Jarvis moved to amend subdivision 3, section 9, by inserting after the word "furniture" the word "provisions."

The amendment was adopted.

Mr. Durham moved to amend section 3, line 3, by striking out "March" and inserting "April."

The amendment was adopted.

M. Hodgin moved to amend section 11, line 5, by inserting after the word "fraternity" the words "Order of Odd Fellows."

The amendment was adopted.

Mr. Vestal moved to amend section 16, line 5, by striking out "one week" and inserting "three days."

The amendment was adopted.

Mr. Hinnant moved to amend section 39, line 1, by striking out "three" and inserting "five."

The amendment was adopted.

Mr. White offered an additional paragraph to section 1.

The amendment was adopted.

Mr. Hinnant moved to amend Section 33, line 15, by striking out "September" and inserting "November."

The amendment was adopted.

Mr. Carey moved to amend section 17, line 25, by striking out "ten" and inserting "five."

The amendment was adopted.

Mr. Malone moved to amend section 27 by striking out all after "prescribe," line 5, to "provided," line 7, and inserting

"and any sheriff or his agent who shall use any money collected by him for taxes, &c."

The amendment was adopted.

Mr. Hinnant moved to amend section 26, line 5, by striking out "ten" and inserting "twelve."

The amendment was adopted.

Also by striking out "during the month" and inserting "after the second Tuesday."

The amendment was adopted.

The bill then passed its final reading.

A bill concerning election and registration for 1870 was

Made special for Tuesday at ten o'clock.

A bill to incorporate the Warren Savings Bank, of Warrenton, was

Referred to the Committee on Corporations.

A bill to incorporate the Glen Alpine Springs Company

Passed its second and third readings.

A Senate bill to authorize the Commissioners of Alamance county to levy a special tax was

Laid on the table.

Mr. Sinclair introduced

A resolution to adjourn *sine die* on the 28th instant.

Taken up under a suspension of the rules.

Mr. Strudwick offered a proviso to the same to the effect that the House would not agree to adjourn until it had taken final action on a bill concerning election and registration for 1870, a bill to raise revenue, and a bill to provide for a better system of public instruction.

Mr. Jarvis moved to lay the resolution on the table.

On this motion,

Mr. Sinclair called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Davis, Durham, Farrow, Hicks, Hinnant, Hodgin,

Hodnett, Jarvis, Kelly of Davie, Mayo, McMillan, Painter, Strudwick, Welch and Whitley—16.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Barnes, Boddie, Candler, Carson, Carey, Cawthorn, Cherry, Clayton, Crawford, Dixon, Eagles, Forkner, Franklin, Gahagan, Gibson, Green, Gunter, Harris of Wake, Hawkins, Hendricks, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, McCanless, Moore of Chowan, Pou, Proctor, Proffitt, Ragland, Renfrow, Robbins, Robinson, Reynolds, Shaver, Sinclair, Smith, of Alleghany, Snipes, Stanton, Stevens, Stilley, Sykes, Thompson, Vestal, Vest, Waldrop, Williams of Sampson and Wilson—57.

The question recurring on the adoption of the proviso.

Mr. Reynolds moved to amend by inserting a bill to protect the rights of the citizens of North Carolina traveling in public conveyances.

On the adoption of this amendment,

Mr. Reynolds called for the yeas and nays.

The call being sustained,

The amendment was rejected bythe following vote :

Those who voted in the affirmative were,

Messrs. Carey, Cawthorn, Cherry, Crawford, Eagles, Forkner, Harris of Wake, Hilliard, Hudgings, Laflin, Leary, Mayo, Morris, Renfrow, Robbins, Reynolds, Stevens, Stilley and Sykes—19.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Barnes, Boddie, Candler, Carson, Clayton, Davis, Dixon, Durham, Farrow, Gahagan, Gibson, Green, Grier, Hawkins, Hendricks, Hicks, Hinnant, Hodgin, Hodnett, Horney, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, McCanless, McMillan, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Pou, Proctor, Proffitt, Ragland, Rea, Robinson, Shaver, Sin-

clair, Smith of Alleghany, Stanton, Strudwick, Thompson, Vestal, Vest, Waldrop, Welch, Williams of Sampson and Wilson—56.

The question recurring on the adoption of Mr. Strudwick's amendment,

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnes, Boddie, Clayton, Davis, Davidson, Durham, Ferebee, Gibson, Green, Grier, Gunter, Hawkins, Hicks, Hinnant, Hodnett, Jarvis, Kelly of Davie, Leary, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Robinson, Smith of Alleghany, Strudwick, Thompson, Vest, Welch and Williams of Sampson—32.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Barnett, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Forkner, Franklin, Gahagan, Harris of Wake, Hendricks, Hilliard, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Laflin, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morris, Price, Ragland, Renfrow, Robbins, Reynolds, Shaver, Sinclair, Snipes, Stanton, Stevens, Stilley, Vestal, Waldrop and Wilson—43.

The question then being on the adoption of the resolution,

Mr. Sinclair called for the yeas and nays.

The called being sustained,

The resolution was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Candler, Carson, Carey, Clayton, Crawford, Dixon, Ferebee, Forkner, Foster, Franklin, Gahagan, Gibson, Green, Grier, Gunter, Hawkins, Hendricks, Hicks, Hilliard, Hinnant, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, Moore of Alamance, Moore of Chowan, Proctor, Rea,

Renfrow, Robbins, Robinson, Reynolds, Shaver, Sinclair, Smith of Alleghany, Snipes, Stanton, Stevens, Stilley, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, Williams of Sampson and Wilson—57.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Cawthorn, Davis, Durham, Harris of Wake, Hodgin, Hodnett, Jarvis, Kelly of Davie, McMillan, Painter, Ragland and Strudwick—15.

Mr. Argo was permitted to record the following in explanation of his vote on the resolution just adopted, viz:

"Since the proviso offered by my colleague, providing that the bill fixing an election in August next shall be passed before an adjournment, has been voted down, I am compelled to believe that it is the purpose of the Republicans to adjourn without providing for an election. I regard it as being more to the interest of the people that we should remain in session six months, than to adjourn without passing an election bill. For my part I shall *never* vote to adjourn till that bill be passed."

A motion to reconsider the last vote taken was made and laid on the table.

On motion of Mr. Painter,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. Stilley, from the Committee on Salaries and Fees, reported

A bill in relation to public printing, amended, favorably; and

A bill to amend chapter 279, public laws of 1868 and 1869, favorably.

M. Hodnett moved a suspension of the rules for the purpose of taking up

A Senate bill to incorporate the Yanceyville and Danville Railroad Company.

On this motion,

Mr. Hodnett called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Banner, Barnes, Boddie, Carey, Clayton, Davis, Davidson, Durham, Farrow, Ferebee, Franklin, Gahagan, Gibson, Green, Grier, Gunter, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Humphries, Hudgings, Ingram, Justus of Henderson, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, McMillan, Moring, Moore of Alamance, Morrill, Morris, Nicholson, Painter, Pearson, Proctor, Proffit, Ragland, Renfrow, Robbins, Shaver, Smith of Alleghany, Smith of Wayne, Snipes, Thompson, Vestal, Vest, Waldrop, Williams of Sampson and Wilson—56.

Those who voted in the negative were,

Messrs. Carson, Cawthorn, Forkner, Hendricks, Hilliard, McCanless, Sinclair, Sweat and Sykes—9.

There being a majority and a minority report on the bill,

The majority report recommending the passage of the bill amended by striking out the 18th section, and

The minority report recommending the passage of the bill without amendment,

The question was on the adoption of the minority as a substitute for the majority report.

Mr. Hodnett called for the yeas and nays.

The call being sustained,

The minority report was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Barnett, Carey, Cawthorn, Cherry, Crawford, Eagles, Forkner, Harris of Wake, Hilliard, Hudgings, Laflin, Leary, Mayo, McCanless, Moring, Moore of Chowan, Morrill, Morris, Price, Proctor, Ragland, Robbins, Reynolds, Stevens, Stilley, Vest and Waldrop—27.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Banner, Barnes, Boddie, Clayton, Davis, Davidson, Durham, Farrow, Ferebee, Gahagan, Gibson, Green, Grier, Gunter, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Humphries, Ingram, Justus of Henderson, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Rea, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson, Vestal, Welch, Whitley, Williams of Sampson and Wilson—51.

The question then being on the adoption of the majority report,

Mr. Hodnet call for the yeas and nays.

The call being sustained,

The majority report was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Banner, Barnes, Boddie, Clayton, Davis, Durham, Farrow, Ferebee, Gibson, Green, Grier, Gunter, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Humphries, Ingram, Justus of Henderson, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Rea, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson, Vestal, Welch, Whitley, Williams of Sampson and Wilson—51.

Those who voted in the negative were,

Messrs. Barnett, Carey, Cawthorn, Cherry, Crawford, Eagles, Forkner, Harris of Wake, Hilliard, Hudgings, Laflin, Leary,

Mayo, McCanless, Moring, Moore of Chowan, Morrill, Morris, Price, Proctor, Ragland, Robbins, Reynolds, Sinclair, Stilley, Sykes, Vest and Waldrop—28.

The bill then failed to pass its second reading.

Mr. Reynolds introduced

A bill to exempt school committeemen from labor on highways.

Laid over.

A bill in relation to public printing was taken up.

The question being on the adoption of the report of the committee, offering amendments,

Mr. Durham moved to postpone the consideration of the subject till Thursday next at twelve o'clock.

On this motion,

Mr. Harris, of Wake, called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Boddie, Clayton, Davis, Davidson, Durham, Farrow, Ferebee, Gibson, Green, Grier, Gunter, Hawkins, Hicks, Humphries, Ingram, Kelly of Davie, Kelly of Moore, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Strudwick, Sweat, Thompson, Welch, Whitley and Williams of Sampson—34.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Banner, Barnett, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Forkner, Franklin, Gahagan, Harris of Wake, Hendricks, Hilliard, Hinnant, Horney, Hudgings, Justus of Henderson, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Pou, Price, Proctor, Ragland, Rea, Renfrow, Reynolds, Sinclair, Snipes, Stanton, Stevens, Stilley, Sykes, Vestal, Vest, Waldrop and Wilson—47.

The question recurring on the adoption of the report of the committee amending the bill,

Mr. Durham moved to adjourn.

On this motion,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Clayton, Durham, Farrow, Ferebee, Gibson, Green, Grier, Gunter, Hawkins, Hicks, Humphries, Kelly of Davie, Kelly of Moore, Malone, McMillan, Moring, Moore of Alamance, Pou, Robinson, Smith of Wayne, Thompson, Whitley and Williams of Sampson—23.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Barnett, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Forkner, Franklin, Gahagan, Harris of Wake, Hendricks, Hilliard, Hinnant, Hodgin, Horney, Hudgings, Ingram, Justus of Henderson, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morrill, Morris, Pearson, Price, Proctor, Ragland, Rea, Renfrow, Reynolds, Sinclair, Snipes, Stanton, Stevens, Stilley, Sykes, Vestal, Vest, Waldrop and Wilson—47.

The question recurring on the adoption of the report of the Committee on Salaries and Fees,

The same was adopted.

The question being on the passage of the bill on its second reading,

Mr. Malone called for the yeas and nays.

The call being sustained,

The bill failed to pass its second reading for want of a quorum, as follows:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Barnett, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Forkner, Franklin, Gahagan, Harris of Wake, Hendricks, Hilliard, Hinnant, Hodgin, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moring, Moore of Chowan, Morrill, Morris,

Pearson, Pou, Price, Proctor, Rea, Renfrow, Reynolds, Sinclair, Snipes, Stanton, Stevens, Stilley, Sweat, Sykes, Vestal, Vest, Waldrop and Wilson—49.

Those who voted in the negative were,

Messrs. Armstrong, Hicks, Ingram and Welch—4.

On motion of Mr. Laflin,

The House then adjourned to meet again at half past nine o'clock, Tuesday.

TUESDAY, March 15th, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the Chair.

Prayer by Rev. Mr. Long, of the Senate.

Leave of absence was granted Mr. Hendricks for one week.

A bill authorizing the Commissioners of Hertford county to sell part of the land belonging to the poor house

Passed its second and third readings.

On motion of Mr. Sinclair,

The roll was called and the following members answered to their names:

Messrs. Ames, Argo, Armstrong, Ashworth, Barnes, Boddie, Carson, Carey, Cawthorn, Cherry, Clayton, Davidson, Ellis, Ferebee, Forkner, Franklin, Gibson, Green, Grier, Gunter, Hawkins, Hendricks, Hicks, Hilliard, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Laflin, Long of Chatham, Long of Richmond, McCanless, Mendenhall, Morris, Nicholson, Painter, Pou, Price, Proctor, Proffitt, Ragland, Renfrow, Robbins, Shaver, Sinclair, Simonds, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Stevens, Stilley, Sykes, Thompson, Vestal, Vest, Welch, Whitley, Williams of Harnett, Williams of Sampson and Wilson—68.

Mr. Sweat, from the joint committee to receive bids for printing and binding, submitted a report.

Ordered printed, referred to the Committee on Salaries and Fees, together with the bill in relation to public printing and binding, and made special for Wednesday at ten o'clock.

A Senate bill concerning election and registration in the year 1870 was taken up.

[By leave, Mr. Moore of Chowan, changed his vote from the negative to the affirmative on the passage of the bill to raise revenue on its second reading.]

Mr. Vest moved to amend the bill just taken up by striking out in section first the words "a coroner, a sheriff."

On this amendment,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Carson, Dixon, Downing, McCanless, Proctor, Sinclair and Vest—7.

Those who voted in the negative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Barnett, Barnes, Boddie, Candler, Carey, Cawthorn, Cherry, Davis, Davidson, Durham, Eagles, Ellis, Farrow, Ferebee, Forkner, Gibson, Green, Grier, Gunter, Hawkins, Hendricks, Hicks, Hinnant, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, McMillan, Moore of Alamance, Moore of Chowan, Morris, Nicholson, Painter, Pearson, Pou, Price, Proffitt, Ragland, Renfrow, Robbins, Robinson, Shaver, Simonds, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Stevens, Stilley, Strudwick, Sweat, Sykes, Thompson, Vestal, Waldrop, Welch, Whitley, Williams of Harnett and Wilson—74.

Mr. McCanless moved to amend by striking out all of section 1 after the words "and districts."

On this amendment,

Mr. Dixon called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Dixon, McCanless, Sinclair and Vest—4.

Those who voted in the negative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Barnett, Barnes, Boddie, Carson, Carey, Cawthorn, Davis, Downing, Durham, Eagles, Ellis, Farrow, Ferebee, Forkner, Gatling, Gibson, Green, Grier, Gunter, Hawkins, Hendricks, Hicks, Hinnant, Hodgin, Hodnett, Hooffman, Horney, Humphries, Hudgings, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McMillan, Moore of Alamance, Moore of Chowan, Morrill, Morris, Nicholson, Painter, Pearson, Price, Proffitt, Ragland, Rea, Renfrow, Robbins, Robinson, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Stevens, Strudwick, Sweat, Sykes, Thompson, Vestal, Waldrop, Welch, Whitley, Williams of Harnett, Williams of Sampson and Wilson—73.

Mr. Jones moved to amend section 5 by adding the words "and when for any cause there are not enough justices of the peace to have one at each precinct, the commissioners shall appoint some discreet person to act as register of voters."

The amendment was adopted.

Mr. Proctor moved to amend section 6, by striking out the word "five" and inserting the word "three."

The amendment was adopted.

Mr. Stevens moved to amend section 15, by inserting between the words "two" and "tickets," the words "or more;" also to insert between the words "tickets" and "shall," the words "or tickets."

The amendments were adopted.

Mr. Sinclair moved to amend by inserting after section 16, the words, "but the result of such election, in the case of members of the General Assembly, shall be made by the Governor by proclamation; and all returns of elections for mem-

bers of the General Assembly shall be made to the Governor and Council of State, within thirty days after the date of said election."

The amendment was rejected.

Mr. Jarvis offered a substitute for section 16.

Mr. Downing moved to amend the same by striking out all after the word "elected" line 13, to the word "and," line 18.

The amendment was rejected.

The substitute was then adopted.

Mr. Jarvis offered a substitute for section 17.

The amendment was adopted.

Mr. Shaver moved to amend section 17, line 20, by striking out "Floyd's" and inserting "Foard's."

The amendment was adopted.

Mr. Smith, of Alleghany, moved to amend same section, line 26, by striking out "Wilkesboro'" and inserting "Laurel Springs."

The amendment was adopted.

Mr. Humphries moved to amend same section by striking out "Hertford" and inserting "Elizabeth City."

The amendment was rejected.

Mr. Ashworth moved to amend by striking out "New Hope, Randolph," and inserting "Caigle's Mill, Montgomery."

The amendment was adopted.

Mr. Harris, of Wake, moved to amend by striking out "Louisburg" and inserting "Raleigh."

The amendment was adopted.

Mr. Jarvis offered a new section to be titled "section 18."

Mr. Leary moved to amend the same by inserting in blanks the words "Fayetteville" and "Cumberland."

Mr. Proctor moved to amend the amendment by striking out "Fayetteville" and "Cumberland," and inserting "Lumberton" and "Robeson."

The amendment to the amendment was adopted; and

The amendment, as amended, adopted.

The section was then adopted.

Mr. Jarvis offered an additional section, to be titled "section 19."

The amendment was adopted.

Mr. Jarvis offered an additional section, to be titled "section 20."

The amendment was adopted.

Mr. Jarvis offered an additional section, to be titled "section 21."

Also,

An additional section to be titled "section 22."

The amendments were adopted.

Mr. Jarvis offered an additional section, to be titled "section 27."

Mr. Moore, of Chowan, moved to amend the same by inserting after "day," the words "preceding the day of election."

The amendment was adopted.

Mr. Moore moved to amend further by inserting after "election," the words "previous notice being given to him of the time and place of hearing the evidence."

The amendment was adopted.

The section was then adopted.

The question being on the passage of the bill on its second reading,

Mr. Vestal called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Banner, Barnett, Boddie, Candler, Carson, Cawthorn, Cherry, Crawford, Davis, Davidson, Downing, Durham, Eagles, Ellis, Farrow, Ferebee, Forkner, Gahagan, Gatling, Gibson, Green, Grier, Gunter, Harris of Wake, Hawkins, Hendricks, Hicks, Hilliard, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall,

Moore of Alamance, Moore of Chowan, Morris, Nicholson, Painter, Pearson, Peck, Pou, Price, Proctor, Proffitt, Rea, Renfrow, Robbins, Reynolds, Seymour, Shaver, Sinclair, Simonds, Smith of Alleghany, Snipes, Stanton, Stilley, Strudwick, Sweat, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Harnett, Williams of Sampson and Wilson —87.

The bill was then ordered to be printed and made special for Wednesday, at seven and a half o'clock, P. M.

Mr. Harris, of Wake, introduced

A bill concerning townships in the counties of Pitt and Wake.

Laid over.

Mr. Downing introduced

A bill authorizing the Sheriff of Union county to collect arrears of taxes for the years 1868 and 1869.

Laid over.

Mr. Harris, of Wake, introduced

A resolution in favor of M. A. Bledsoe, and

A resolution in favor of Thomas H. Coates.

Laid over.

Mr. Price introduced

A bill to amend an act establishing special courts in the cities of Wilmington and Newbern, and

A bill to exempt the organized fire companies of the city of Wilmington from coroner's inquest and jury duty.

Laid over.

A bill to confirm the sale of certain lands was taken up, and the same was

Ordered printed and made special for Wednesday at eleven o'clock.

A message was received from his Excellency, the Governor, transmitting

A report from the Code Commissioners in relation to their labors.

Read and ordered to be sent to the Senate.

Also,

A message from his Excellency, the Governor, communicating the reports of the Presidents of Railroads in which the State has an interest.

Ordered to be sent to the Senate with a proposition to print.

On motion of Mr. Sweat,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Leave of absence was granted Messrs. Smith, of Alleghany, and Hawkins from and after the 24th; also, to Messrs. Barnes and Whitley.

A bill to repeal an act to allow citizens of North Carolina to practice in the courts of the State was taken up.

Mr. Foster moved to lay the bill on the table.

On this motion,

Mr. Ferebee called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnett, Carson, Carey, Cawthorn, Cherry, Dixon, Eagles, Forkner, Foster, Franklin, Hendricks, Hinnant, Hoffman, Hudgings, Ingram, Justus of Henderson, Laflin, Leary, Long of Chatham, Mayo, Morris, Pearson, Pou, Price, Reynolds, Stevens, Stilley, Sweat, Sykes, Vest and Waldrop —32.

Those who voted in the negative were,

Messrs. Armstrong, Barnes, Boddie, Candler, Davis, Davidson, Ellis, Farrow, Ferebee, Gibson, Green, Grier, Hicks,

High, Hodgin, Hodnett, Humphries, Kelly of Davie, Long of Richmond, Malone, McMillan, Moore of Alamance, Nicholson, Proffitt, Ragland, Rea, Robinson, Shaver, Sinclair, Smith of Alleghany, Smith of Wayne, Strudwick, Thompson, Vestal, Welch, Whitley, Williams of Harnett and Williams of Sampson—38.

The question then being on the passage of the bill on its second reading,

Mr. Foster called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Barnes, Boddie, Candler, Davis, Davidson, Ellis, Farrow, Ferebee, Gibson, Green, Grier, Harris of Wake, Hicks, High, Hodnett, Humphries, Kelly of Davie, Long of Richmond, Malone, Mendenhall, Moore of Alamance, Nicholson, Painter, Proffitt, Ragland, Rea, Robinson, Shaver, Sinclair, Smith of Alleghany, Smith of Wayne, Sykes, Thompson, Vestal, Whitley, Williams of Harnett and Williams of Sampson—38.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Barnett, Carson, Carey, Cawthorn, Cherry, Dixon, Eagles, Forkner, Foster, Franklin, French, Hendricks, Hilliard, Hinnant, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Laflin, Leary, Long of Chatham, Mayo, Morris, Pearson, Pou, Price, Reynolds, Snipes, Stanton, Stevens, Stilley, Sweat, Vest and Waldrop—37.

A bill to amend chapter 277 of the public laws of 1868 and 1869

Passed second reading, and

Ordered printed, and

Made special for Wednesday at one o'clock.

A Senate bill to amend chapter 33 of the public laws of 1868 and 1969 was taken up.

Mr. Price offered a substitute for the same.

The substitute was adopted, and

Passed second and third readings.

A Senate bill to amend section 19, chapter 185, of the public laws of 1868 and 1869,

Passed second and third readings.

A Senate bill to annex a part of New Hanover to Sampson county

Passed second and third readings.

A bill concerning townships in the counties of Pitt and Wake

Passed second and third readings.

A Senate bill to repeal an act authorizing the Secretary of State to furnish county officers with stationery

Passed second and third readings.

A bill to amend section 13 of an act to suspend the Code of Civil Procedure in certain cases, chapter 76 of the public laws of 1868 and 1869, was

Made special for Thursday at eleven o'clock.

On motion of Mr. Renfrow,

The House adjourned to meet again at nine and a half o'clock, Wednesday.

WEDNESDAY, March 16th, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the Chair.

Mr. Ellis presented

A petition from the physicians of Catawba county, praying some legislation in favor of the physicians of the State.

Referred to special committee of three to be appointed.

Mr. Stilley, from the Committee on Salaries and Fees, reported

A bill in relation to printing, amended, favorably.

Mr. French introduced

A resolution in favor of the Secretary of the Senate and Clerk of the House.

Laid over.

A Senate bill to prevent the felling of trees and placing other obstructions in the waters of Mill Creek, in Johnston county,

Passed second and third readings.

A bill to exempt School committeemen from labor on highways was taken up, and

Made special for Friday at eleven o'clock.

A bill to raise Revenue was taken up on third reading, as special order.

Mr. Hinnant moved to amend section 2, lines 5 and 6, by striking out "one dollar and five cents," and inserting "seventy-five cents."

The amendment was adopted.

Mr. Pou moved to amend section 1, class 1, lines 16 and 17, by striking out the words "except special taxes for county purposes ratified previous to the ratification of this act."

On this amendment,

Mr. Pou called the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Boddie, Davidson, Durham, Ellis, Ferebee, Gibson, Grier, Gunter, Hawkins, High, Hodnett, Horney, Humphries, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Malone, McCanless, McMillan, Nicholson, Painter, Pou, Proffitt, Shaver, Smith of Alleghany, Smith of Wayne, Stanton, Strudwick, Thompson, Whitley and Williams of Harnett—32.

Those who voted in the negative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Barnett, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Green, Harris of Wake, Hendricks, Hilliard, Hoffman,

Hudgings, Kelly of Moore, Laflin, Leary, Long of Richmond, Mayo, Moore of Chowan, Morrill, Morris, Pearson, Price, Ragland, Rea, Renfrow, Robbins, Robinson, Reynolds, Seymour, Simonds, Snipes, Stevens, Stilley, Sweat, Vestal, Vest, Waldrop and Williams of Sampson—51.

Mr. French moved to amend section 2, class 1, line 2, by striking out "twenty" and inserting "thirty."

On this amendment,

Mr. French called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Downing, French, Gahagan and Sweat—4.

Those who voted in the negative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Barnett, Boddie, Candler, Carson, Cawthorn, Cherry, Crawford, Dixon, Durham, Eagles, Ellis, Farrow, Ferebee, Forkner, Foster, Gatling, Green, Grier, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hicks, Hilliard, High, Hodnett, Hoffman, Horney, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Moore of Chowan, Morrill, Morris, Nicholson, Painter, Pearson, Pou, Price, Proctor, Proffitt, Renfrow, Robbins, Robinson, Reynolds, Seymour, Shaver, Sinclair, Simonds, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Strudwick, Thompson, Vestal, Vest, Waldrop, Welch, Whitley and Williams of Harnett—75.

Mr. Argo moved to amend section 1, class 1, by adding thereto the words "when such taxes have been or may be ratified by a majority of the qualified voters in the counties in which the taxes are proposed to be levied."

Mr. Moore, of Chowan, moved to amend the amendment by adding thereto the words, "unless they are for necessary expenses of said county."

On this amendment,

Mr. Moore called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnett, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Green, Harris of Franklin, Hicks, Hilliard, Hinnant, Hodgin, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Leary, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morris, Pearson, Peck, Price, Proctor, Ragland, Rea, Robbins, Reynolds, Seymour, Sinclair, Simonds, Snipes, Stevens, Sweat, Vestal, Vest, Waldrop and Whitley —49.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Davidson, Durham, Ellis, Farrow, Gibson, Hawkins, Hodnett, Hoffman, Humphries, Kelly of Davie, McMillan, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Strudwick, Thompson and Williams of Sampson —25.

The question recurring on the adoption of the amendment as amended,

The same was rejected.

Mr. Seymour moved to amend section 1, class 1, by striking out the words "ratified previous to the ratification of this act."

The amendment was adopted.

Mr. Leary moved a reconsideration of the vote by which the amendment to section 1, class 1, as amended, was rejected.

Mr. Seymour moved to lay this motion on the table.

On this motion,

Mr. Moore, of Chowan, called for the yeas and nays.

The call being sustained,

The motion to table prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnett, Cawthorn, Dixon, Downing,

Eagles, Ferebee, Foster, Franklin, Painter, Seymour, Stanton, Stevens, Sweat, Vestal and Vest—16.

Those who voted in the negative were,

Messrs. Ames, Argo, Armstrong, Boddie, Carson, Durham, Ellis, Farrow, Forkner, Gahagan, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Humphries, Hudgings, Justus of Henderson, Kelly of Davie, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, Moore of Alamance, Moore of Chowan, Nicholson, Peck, Price, Proctor, Proffitt, Ragland, Robbins, Robinson, Reynolds, Shaver, Sinclair, Smith of Alleghany, Smith of Wayne, Snipes, Stilley, Strudwick, Thompson, Waldrop, Welch, Whitley, Williams of Harnett and Williams of Sampson—58.

The question recurring on the motion to reconsider,

The motion prevailed.

The question then being on the adoption of the amendment,

Mr. Leary called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Boddie, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Forkner, Foster, Franklin, Gahagan, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hendricks, Hicks, High, Hodnett, Hoffman, Horney, Humphries, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Pearson, Proctor, Proffitt, Ragland, Renfrow, Robbins, Robinson, Reynolds, Shaver, Sinclair, Smith of Alleghany, Smith of Waye, Snipes, Stanton, Stevens, Strudwick, Thompson, Vestal, Vest, Waldrop, Whitley, Williams of Harnett and Williams of Sampson—65.

Those who voted in the negative were,

Messrs. Ames, Carson, Cawthorn, Dixon, Downing, Eagles, Hodgin, Hudgings, Laflin, Morris and Sweet—11.

Mr. Hodnett moved to amend by striking out section 2, class 2.

The amendment was rejected.

[By leave,

Mr. Hinnant introduced

A resolution to employ an Assistant Engrossing Clerk.

Taken up under suspension of the rules, and

Adopted.]

Mr. Hinnant moved to amend section 13, schedule B, line 4, by striking out "sales or receipts."

The amendment was adopted.

Mr. Hinnant moved to amend same section, line 15, by striking out "one-tenth," and inserting "one-fifth;" also by inserting after "cent," the words "on the amount of his purchases for each preceding quarter."

The amendments were adopted.

Mr. Long, of Richmond, moved to amend section 14, schedule B, by striking out "gross" and inserting "net."

The amendment was rejected.

Mr. Harris, of Wake, moved to amend section 14, schedule B, by inserting after "purposes" the words "and as private boarding houses."

The amendment was adopted.

Mr. Downing moved to amend section 14, schedule B, by striking out the proviso thereto.

The amendment was adopted.

Mr. Moore of Chowan, moved to amend section 23 by adding thereto the words "said license may be issued quarterly on the payment of a *pro rata* tax."

The amendment was adopted.

Mr. Painter moved to amend section 24 by inserting at the end of section the words "and on every threshing machine brought into this State for the purpose of threshing wheat and used by persons living out of this State, a tax of five dollars."

The amendment was adopted.

On motion of Mr. Painter,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. French, from the Committee on Counties and Townships, reported

A bill to lay off and establish the county of Pamlico, favorably.

A resolution concerning the *per diem* of R. C. Parker was

Adopted.

A bill in relation to common carriers of freight

Passed second reading.

Mr. Barnett, from the Committee on Corporations, reported

A Senate bill to charter the Shingleman's Bank of Plymouth, favorably; and

A bill to incorporate the Warren Savings Bank, of the town Warrenton, favorably.

A bill to authorize Judges of Probate to appoint trustees in certain cases

Passed second and third readings.

A bill to incorporate the Western Central Railroad Company

Passed second and third readings.

A bill to raise Revenue was taken up.

Mr. Hinnant offered an additional section, to be titled "section 32," (Schedule B.)

The amendment was adopted.

Mr. French moved to amend section 13, line 15, by striking out "fifth" and inserting "eighth."

The amendment was adopted.

Mr. Hodgin moved to amend section 34, line 6, by striking out "ten" and inserting "twenty-five."

The amendment was rejected.

Mr. French moved to amend section 2, class 2, line 22, by striking out "one thousand" and inserting "five hundred."

The amendment was rejected.

Mr. Stilley moved to amend section 27th, schedule B, by adding thereto the words "and to the sheriff equally,"

The amendment was rejected.

Mr. Leary moved to amend section 21, line 2, by striking out "twenty" and inserting "thirty."

The amendment was rejected.

Mr. Hinnant offered a proviso to section 32, schedule B.

The amendment was adopted.

Mr. French moved to amend section 6, schedule B, by striking out all after "State" to the word "This," and inserting "one per cent upon his gross receipts."

The amendment was adopted.

Mr. Hinnant moved to amend section 10, schedule B, by striking out "one quart" and inserting "two gallons."

Mr. Whitley moved to amend the amendment by striking out "two gallons" and inserting "one gallon."

The amendment to the amendment was rejected.

The amendment was then rejected.

Mr. Harris, of Wake, moved to amend section 27 by adding thereto the words "and the sheriff equally."

The amendment was adopted.

The bill then passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Candler, Carey, Cherry, Crawford, Dixon, Ellis, Forkner, Foster, Franklin, French, Gahagan, Harris of Wake, Hendricks, Hinnant, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Chowan, Pearson,

Price, Proctor, Renfrow, Reynolds, Sinclair, Smith of Wayne, Snipes, Stanton, Stilley, Strudwick, Sykes, Vestal, Vest, Waldrop, Welch and Whitley—48.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Davis, Davidson, Durham, Ferebee, Gibson, Green, Gunter, Hawkins, Hilliard, High, Hodgin, Humphries, Jarvis, Kelly of Davie, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Robinson, Shaver, Smith of Alleghany, Stevens, Sweat, Thompson, Williams of Harnett and Williams of Sampson—31.

On motion of Mr. Sinclair,

The House then adjourned to meet again at 9½ o'clock, Thursday.

THURSDAY, March 17th, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the Chair.

Mr. Eagles asked for and obtained leave to record his vote in the affirmative on the final vote on the bill to raise Revenue: Mr. Grier in the negative.

Mr. Green presented a petition from a portion of the citizens of Stanley.

Referred to the Committee on Propositions and Grievances.

Leave of absence was granted Mr. Davis indefinitely; to Mr. Seymour from Saturday next till the following Wednesday.

A Senate bill concerning election and registration in the year 1870 was taken up.

Mr. Jarvis moved to amend section 20, by striking out all after the word "shall" to the word "the," and insert "transmit by mail on or before the fifteenth day of August to."

The amendment was adopted.

Mr. Jarvis moved to amend same section by striking out "that day" and inserting "first Thursday in September."

The amendment was adopted.

Mr. Jarvis moved to amend section 27, line 3, by inserting after "day" the words "of registration."

The amendment was adopted.

Mr. French moved to amend section 1 by striking out "a sheriff."

On this amendment,

Mr. Seymour called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Foster, French, McCanless, Seymour, Sinclair and Vest—6.

Those who voted in the negative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Barnett, Boddie, Carson, Carey, Cawthorn, Cherry, Davis, Davidson, Durham, Ellis, Ferebee, Gahagan, Gibson, Green, Grier, Gunter, Harris of Wake, Hawkins, Hendricks, Hicks, Hilliard, High, Hodnett, Hoffman, Humphries, Hudgings, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Laflin, Long of Chatham, Long of Richmond, Malone, Moore of Alamance, Nicholson, Painter, Pearson, Pou, Proffitt, Robbins, Robinson, Reynolds, Shaver, Simonds, Smith of Alleghany, Snipes, Stanton, Stevens, Strudwick, Thompson, Vestal, Waldrop, Whitley, Williams of Harnett and Williams of Sampson—61.

Mr. Gunter moved to amend by striking out section 14.

On this motion,

Mr. Gunter called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Carson, Davidson, Durham, Ellis, Farrow, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodnett,

Humphries, Jarvis, Justus of Henderson, Kelly of Davie, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Strudwick, Thompson, Vestal, Welch, Whitley, Williams of Harnett and Williams of Sampson—40.

Those who voted in the negative were,

Messrs. Ames, Barnett, Bowman, Candler, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Forkner, Franklin, French, Gahagan, Harris of Wake, Hilliard, Hodgin, Hoffman, Horney, Hudgings, Ingram, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Morris, Pearson, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Stilley, Sweat, Sykes, Vest and Waldrop—48.

Mr. Humphries moved to amend section 1 by inserting "A Clerk of Superior Court of the county of Currituck."

The amendment was adopted.

Mr. Cawthorn moved to reconsider the vote just taken.

Mr. Sinclair moved to lay this motion on the table.

On this motion,

Mr. Sinclair called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Carson, Cherry, Crawford, Dixon, Downing Eagles, Foster, Franklin, Gahagan, Harris of Wake, Hendricks, Hoffman, Horney, Ingram, Justus of Henderson, Kelly of Moore, Long of Richmond, Mayo, McCanless, Morris, Pearson, Peck, Proctor, Ragland Rea, Renfrow, Robbins, Seymour, Sinclair, Simonds, Smith of Martin, Stevens, Stilley, Thompson, Vestal, Vest, Waldrop and Welch—40.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Carey, Cawthorn, Davis, Davidson, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, Hicks, High,

Hinnant, Hodgin, Hodnett, Humphries, Jarvis, Kelly of Davie, Leary, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Snipes, Strudwick, Sweat, Whitley, Williams of Harnett and Williams of Sampson—43.

The motion to reconsider then prevailed.

The question recurring on the adoption of the amendment,

Mr. Gibson moved to amend the amendment by inserting "and Cabarrus."

Mr. Pou offered the following as a substitute for the pending amendments:

"The Clerks of Superior Courts in all counties where at present the Clerk holds by appointment by a Judge."

Pending which,

Mr. Speaker Holden tendered his resignation as Speaker of the House of Representatives, as follows:

"RALEIGH, March 17, 1870.

GENTLEMEN:—I hereby resign my office as Speaker of the House of Representatives, to take effect to-morrow morning at twelve o'clock.

In parting from you, I return my sincerest thanks for the courtesy which has been shown to me by each and every member upon this floor.

Also, I hereby tender my resignation as a member of the General Assembly, to take effect to-morrow morning at the same hour.

My reasons for taking this step are purely of a business character. Having assumed the entire control of a large newspaper establishment, with all the burdens of its editorial and business departments upon my shoulders, I find it impossible to discharge my duties as a legislator; and in justice to

myself and to the members of this House, my resignation is herewith presented.

I remain, gentlemen,

Your most obedient servant,

JO. W. HOLDEN."

Mr. French moved that Mr. Speaker Holden be respectfully requested not to resign, either as Speaker or as a member of the House of Representatives.

The motion prevailed by a unanimous vote, and the following letter was addressed to Mr. Holden:

HOUSE OF REPRESENTATIVES,
Raleigh, March 17th, 1870.

Hon. JO. W. HOLDEN:

SIR:—By a unanimous vote of the members of the House of Representatives, I am directed to express to you their regret at receiving your letter of resignation, and to respectfully request you, in their behalf, to withdraw the same.

I have the honor to be,

Your obedient servant,

JOHN H. BONER.

Consideration of Mr. Pou's amendment was then resumed.

The same was accepted by Messrs. Humphries and Gibson.

The question then being on the adoption of the amendment,

Mr. Pou called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Candler, Cawthorn, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Gunter, Harris of Franklin, Hawkins, High, Hinnant, Hodgin, Humphries, Jarvis, Kelly of Davie, Malone,

McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Robinson, Shaver, Smith of Alleghany, Smith of Wayne, Stanton, Thompson, Welch, Whitley, Williams of Harnett and Williams of Sampson—41.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Barnett, Bowman, Carson, Carey, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Harris of Wake, Hendricks, Hilliard, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morris, Pearson, Peck, Price, Proctor, Rea, Renfrow, Robbins, Reynolds, Sinclair, Simonds, Smith of Martin, Snipes, Stevens, Stilley, Sweat, Sykes, Vestal, Vest and Waldrop—51.

The bill then passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Barnett, Boddie, Bowman, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Davidson, Dixon, Downing, Durham, Eagles Ellis, Farrow, Ferebee, Forkner, Foster, French, Gahagan, Gatling, Gibson, Green, Grier, Gunter, Harris of Wake, Hawkins, Hendricks, Hicks, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Hudgings, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Morris, Nicholson, Painter, Pearson, Peck, Pou, Price, Proffitt, Rea, Renfrow, Robbins, Robinson, Reynolds, Seymour, Shaver, Smith of Alleghany, Smith of Martin, Smith of Wayne, Snipes, Stanton, Stevens, Stilley, Sweat, Sykes, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Harnett and Williams of Sampson—87.

A message was received from the Senate transmitting for consideration

A bill to confirm the election of municipal officers in Mocksville; and

A bill to extend the corporate limits of the town of Smithville.

Also a message transmitting amendments to

A bill to charter the Bank of Statesville.

The amendments were not concurred in; and a committee of conference was authorized.

The House concurred in Senate amendment to

A bill authorizing the commissioners of Burke county to levy a special tax.

Also a message transmitting for consideration

A bill to aid in the construction of the Valley Railroad, through the counties of Granville, Person and Caswell;

A bill to incorporate the Raleigh Savings Bank; and

A bill to authorize the Sheriff of Pitt county to collect arrears of taxes.

Also a message with information that

The Senate concurred in the resolution to adjourn *sine die* on the 28th instant.

A bill in relation to Public Printing was taken up.

Mr. Durham moved to amend section 1, line 20, by striking out one dollar" and inserting "sixty-two and-a-half cents."

Mr. Stilley moved to amend the amendment by striking out "sixty-two and-a-half," and inserting "seventy-five."

On this amendment,

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Barnett, Bowman, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Gunter, Harris of Wake, Hilliard, Horney, Justus of Henderson, Kelly of Moore, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morris, Pearson, Peck, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds,

Snipes, Stanton, Stevens, Stilley, Sweat, Sykes, Vestal, Vest and Waldrop—51.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hicks, Hinnant, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Malone, McMillan, Nicholson, Painter, Pou, Robinson, Shaver, Smith of Alleghany, Thompson, Welch, Whitley, Williams of Harnett and Williams of Sampson—34.

The question then recurring on the adoption of the amendment as amended,

The same was adopted.

Mr. Stilley moved to amend section 1, line 22, by striking out "two dollars" and inserting "one dollar and fifty cents."

The amendment was adopted.

Pending further discussion of the bill,

The following communication was received from the Speaker of the House:

OFFICE NORTH CAROLINA STANDARD,
Raleigh, March 17th, 1870.

To JOHN H. BONER, *Clerk of the House of Representatives:*

SIR:—I have just received your letter informing me that it is the unanimous wish of the members of the House of Representatives that I withdraw my letter of resignation presented to them this morning. In reply, I must say that the action on the part of the House but adds to the feeling of deep regret which I entertained in proposing to part from them, both as an officer and as a member; and while I can fully appreciate their kind sentiments, still I believe it to be a duty which I owe to them as well as to myself, to decline to accede to their request. It is, therefore, my desire that you immediately inform the

House of my determination. It is the only time that I ever opposed their unanimous wish.

I remain, most respectfully,

Your obedient servant,

JO. W. HOLDEN.

Consideration of the bill was resumed.

Mr. Durham moved to amend section 1, lines 5 and 6, by striking out all after "office" to "and" and inserting "until the regular meeting of the Legislature in November of each year."

On the adoption of this amendment,

Mr. Durham called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gibson, Green, Grier, Hawkins, Hicks, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Robinson, Shaver, Smith of Alleghany, Thompson, Welch, Whitley, Williams of Harnett and Williams of Sampson—34.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Barnett, Bowman, Candler, Carson, Carey, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Gunter, Harris of Wake, Hilliard, Hinnant, Hodgin, Hoffman, Horney, Hudgings, Justus of Henderson, Laflin, Long of Richmond, Mayo, McCanless, Moore of Chowan, Morris, Pearson, Price, Proctor, Rea, Renfrow, Robbins, Seymour, Simonds, Snipes, Stanton, Stevens, Stilley, Vestal, Vest and Waldrop—47.

Mr. Malone moved to amend by striking out the words "the reports of the decisions of the Supreme Court."

The amendment was rejected.

Mr. Stilley moved to amend section 1, line 23, by striking out "one dollar" and inserting "seventy-five cents."

The amendment was adopted.

The bill then passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Gunter, Harris of Wake, Hendricks, Hilliard, Hoffman, Horney, Hudgings, Justus of Henderson, Kelly of Moore, Laflin, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Chowan, Morris, Pearson, Pou, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Seymour, Sinclair, Simonds, Snipes, Stanton, Stevens, Stilley, Sweat, Vestal, Vest and Waldrop—53.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Davis, Davidson, Durham, Ellis, Farrow, Ferebee, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hicks, Hodnett, Humphries, Ingram, Jarvis, Kelly of Davie, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Robinson, Shaver, Smith of Alleghany, Thompson, Welch, Whitley, Williams of Harnett and Williams of Sampson—33.

The rules having been suspended,

The bill then passed its final reading.

A Senate bill to authorize the Sheriff of Pitt county to collect arrears of taxes

Passed second and third readings.

On motion of Mr. Downing,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

A resolution in favor of J. E. Eldridge, Sheriff of Bladen county,

Passed second and third readings.

A Senate bill to incorporate the Hebrew Cemetery Association, of Raleigh,

Passed second and third readings.

A Senate resolution in relation to witnesses before investigation committees was

Adopted.

Mr. Green introduced

A bill to amend chapter 68 of the laws of 1868 and 1869

Passed second and third readings.

Leave of absence was granted Messrs. Wilkie, Rea and Hodnett for a few days.

A Senate bill to authorize G. N. Lewis, Sheriff of Nash county, to collect arrears of taxes

Passed second and third readings.

Mr. Durham introduced

A bill to incorporate the North Carolina Fertilizing Company.

Laid over.

A bill authorizing the sale of certain lands was taken up.

Mr. Jarvis moved to amend section 1 by striking out "thirty" and inserting "fifty."

The amendment was adopted.

Mr. Jarvis moved to amend further by adding to section 1 the words "or more; the said sales to be in five years time, the interest to be paid annually and to be secured by the board under such regulations as the board may deem best."

The amendment was adopted.

Mr. Jarvis moved to amend section 2, subdivision 1, by

adding thereto the words "to be increased under such laws as are now or may be enacted by the General Assembly;"

Also, to amend by adding to same section the words "or any enlargement of said canals;"

Also, to amend section 2, line 5, by inserting after the word "pair" the words "or use;"

Also, to amend section 2, subdivision 2, by adding thereto the words "and which shall not be closed."

The amendments were adopted.

Mr. Durham offered a proviso to section 2.

The amendment was adopted.

On the passage of the bill on its second reading,

Mr. Durham called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Bowman, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Farrow, Foster, Franklin, French, Gahagan, Green, Gunter, Hoffman, Horney, Hudgings, Jarvis, Justus of Henderson, Kelly of Davie, Kinney, Laflin, Long of Chatham, Mayo, McCanless, McMillan, Morris, Pearson, Pou, Proctor, Ragland, Rea, Sinclair, Smith of Wayne, Snipes, Stanton, Stilley, Thompson, Vestal, Vest, Waldrop and Whitley—46.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Davidson, Durham, Forkner, Gibson, Grier, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Humphries, Kelly of Moore, Long of Richmond, Nicholson, Painter, Proffitt, Smith of Alleghany and Williams of Sampson—21.

Mr. Smith, of Alleghany, introduced

A bill for the relief of the Sheriffs of Alleghany and Davie counties.

Laid over.

Mr. Crawford introduced

A bill to prevent the destruction of certain species of game in Granville and Robeson counties.

Laid over.

A bill to amend chapter 277 of the public laws of 1868 and 1869

Passed final reading.

A Senate bill to authorize the incorporation of the Homestead and Building Association

Passed second and third readings.

A bill to authorize the Commissioners of Hertford county to levy a special tax was taken up.

A substitute for the same was adopted.

A bill for the relief of the Sheriffs of Alleghany and Davie counties

Passed second and third readings.

On motion of Mr. Snipes,

The House then adjourned to meet again at nine and a half o'clock, Friday.

FRIDAY, March 18th, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the Chair.

Prayer by Rev. Mr. Long, of the Senate.

Leave of absence was granted Mr. Smith, of Martin, from and after Saturday next; to Mr. Hudgings, from and after Friday next; to Mr. Justus, from and after to-day.

Mr. Kinney asked for and obtained leave to record his vote in the affirmative on the final vote on the Revenue bill.

Mr. Foster introduced

A bill to amend chapter 120 of the private laws of 1868 and 1869.

Laid over.

Mr. Durham introduced

A bill in favor of the Sheriff of Onslow county.

Laid over.

Messrs. Kinney and Justice asked for and obtained leave to to record their votes in the affirmative on the final vote on the Senate bill concerning election and registration for 1870.

A message was received from the Senate transmitting, for concurrence,

A bill concerning lots in the town of Lenoir;

A resolution for the relief of the Sheriff of Munroe county;

A bill to authorize the Sheriff of Granville to collect arrears of taxes;

A bill to authorize the Commissioners of Wake county to issue bonds;

A bill to amend chapter 118, section 2, of the laws of 1868 and 1869;

A bill to incorporate the Cagle Mining and Manufacturing Company;

A bill authorizing the construction of a bridge over Deep river, in Moore county;

A resolution in favor of T. N. Taylor;

A bill to exempt citizens of Buncombe and Henderson counties from paying toll at any toll gate on the Buncombe turnpike road within their own counties;

A bill to amend chapter 75 of the Revised Code;

A bill concerning abstract of tax list;

A bill to declare the law of evidence in certain cases;

A bill to amend sections 562 and 563, chapter 288, of the laws of 1868 and 1869;

A bill respecting the Guilford mine;

A bill to authorize the Board of Education to sell certain lands;

A bill to require the Supreme Court to examine applicants for license to practice law, &c.;

A bill to protect *bona fide* conveyances of land in certain cases, and

A bill to authorize the Commissioners of Carteret county to levy a special tax.

Mr. Hinnant, from the Committee on Finance, reported

A bill to authorize Z. F. Rush, former sheriff of Randolph county, to collect arrears of taxes, amended, favorably;

A bill to authorize John L. Wood, sheriff of Pasquotank county, to collect arrears of taxes, favorably;

A bill for the relief of C. C. Vest, sheriff of the county of Cherokee, favorably; and

A bill for the relief of John Horton, sheriff of Watauga county, favorably.

A Senate bill to authorize the Commissioners of Richmond county to levy a special tax was taken up.

Mr. Sinclair offered a proviso, submitting the provisions of the bill to a vote of the people of the county.

The amendment was adopted, and

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Ashworth, Boddie, Bowman, Candler, Cawthorn, Cherry, Crawford, Davidson, Ferebee, Forkner, French, Gibson, Green, Harris of Franklin, Hicks, Hoffman, Hudgings, Ingram, Justus of Henderson, Kinney, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Morris, Pearson, Price, Proctor, Proffitt, Ragland, Reynolds, Seymour, Sinclair, Simonds, Snipes, Stevens, Thompson, Vestal, Vest, Waldrop and Williams of Sampson—45.

Those who voted in the negative were,

Messrs. Durham, Eagles, Foster, Grier, Hawkins, Hilliard, Hinnant, Malone, McMillan, Moore of Alamance, Morrill, Nicholson, Painter, Shaver, Smith of Alleghany and Smith of Wayne—16.

Mr. Seymour introduced

A resolution to surrender the charter of the Newbern Turpentine Company.

Adopted, under suspension of the rules.

A Senate bill to declare the law of evidence in certain cases

Passed second and third readings.

A Senate bill to require the Supreme Court of the State to examine applicants for license to practice law

Passed second and third readings.

A Senate bill to aid in the construction of the Valley Railroad through the counties of Granville and Person and Caswell, was taken up as a special order.

Mr. French moved that the House do now go into an election for a Speaker of the House of Representatives, *vice* Hon. Jo. W. Holden, resigned.

The motion prevailed.

The following named gentlemen were placed in nomination, viz: Messrs. Moore of Chowan, Jarvis, Durham, Mendenhall, Foster and Proffitt.

The Speaker *pro tem.* appointed Messrs. Durham and Bowman as tellers, and the House proceeded to vote.

The following named gentlemen voted for Mr. Moore:

Messrs. Ames, Ashworth, Barnett, Bowman, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, French, Gahagan, Gunter, Harris of Franklin, Harris of Wake, Hilliard, Hinnant, Hodgin, Hoffman, Horney, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Laflin, Leary, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Morrill, Morris, Pearson, Price, Proctor, Ragland, Rea, Renfrow, Robbins, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Snipes, Stanton, Stevens, Sweat, Sykes, Vestal, Vest and Waldrop—59.

The following named gentlemen voted for Mr. Jarvis:

Messrs. Argo, Boddie, Davis, Davidson, Durham, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Hawkins, Hicks, High, Kelly of Davie, McMillan, Moore of Alamance, Moore of Chowan, Nicholson, Painter, Proffitt, Shaver, Smith of

Wayne, Strudwick, Thompson, Welch, Whitley and Williams of Sampson—28.

The following named gentlemen voted for Mr. Mendenhall, Messrs. Hodnett, Ingram and Pou.

The following named gentlemen voted for Mr. Proffitt, Messrs. Malone and Smith, of Alleghany.

Mr. Jarvis voted for Mr. Kelly, of Davie.

The teller reported the result of the vote, and

Mr. Moore, of Chowan, was declared elected Speaker of the House of Representatives.

The unfinished business was resumed, it being consideration of the bill to aid in construction of the Valley Railroad, &c.

Mr. Hodnett moved to amend the bill by striking out "Caswell county" wherever occurring.

Pending which,

The hour of twelve o'clock having arrived, it being the time at which the resignation of Mr. Speaker Holden was to take effect,

The Speaker *pro tem.* appointed Messrs. Jarvis and Mendenhall to conduct Mr. Moore, of Chowan, Speaker elect, to the chair.

On taking the chair,

Mr. Moore addressed the House as follows:

Members of the House of Representatives:

With unfeigned diffidence, I accept the high office to which, in your kindness and partiality, you have called me.

I am the more impressed with the difficulties of my position, when I compare my own inexperience with the high qualifications and surpassing ability of my immediate predecessor.

I hope to rival him only in firmness, impartiality and courtesy, and I appeal with confidence to you, gentlemen, for your indulgence and support.

I entertain for every gentleman on this floor the kindest feelings, and am happy to believe they are reciprocated.

Gentlemen, the great questions which grew out of the late

disastrous war, and which have heretofore divided us, are or ought to be settled.

The tempest has passed over us, and it is now our high duty to endeavor to calm the troubled waters. May they once more return to their wonted channels, carrying health, prosperity and happiness to every portion of our common country.

However we may differ on party questions, let us all remember that we are citizens of one common State—that she is our mother—and as affectionate children let us provide for her lovingly.

Once more, gentlemen, accept my sincere thanks for the high honor conferred upon me.

The unfinished business was then resumed, it being the motion to strike out "Caswell county," in the bill to aid in the construction of the Valley Railroad.

On the adoption of this amendment,

Mr. Hodnett called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Boddie, Carson, Davis, Davidson, Durham, Farrow, Ferebee, Franklin, Gibson, Green, Harris of Franklin, Hawkins, High, Hinnant, Hodnett, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Leary, Long of Chatham, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pearson, Peck, Pou, Price, Proctor, Proffitt, Shaver, Smith of Alleghany, Smith of Wayne, Stanton, Strudwick, Sweat, Thompson, Welch, Whitley and Williams of Sampson—46.

Those who voted in the negative were,

Messrs. Ashworth, Barnett, Carey, Cherry, Crawford, Downing, Eagles, Forkner, Foster, French, Hilliard, Hodgin, Horney, Kelly of Moore, Kinney, Laflin, Long of Richmond, Mayo, McCanless, Morris, Ragland, Renfrow, Robbins, Rey-

nolds, Seymour, Simonds, Smith of Martin, Snipes, Vest and Waldrop—30.

The question then recurring on the passage of the bill on its second reading,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Carson, Carey, Cawthorn, Crawford, Davis, Dixon, Downing, Farrow, Forkner, Franklin, French, Gunter, Hilliard, Hodgin, Horney, Kelly of Moore, Kinney, Laflin, Leary, Mayo, McCanless, Morris, Price, Ragland, Reynolds, Seymour, Sinclair, Simonds, Smith of Martin, Sykes, Vest and Welch—35.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Durham, Ferebee, Gibson, Harris of Franklin, Hawkins, High, Hinnant, Hodnett, Hoffman, Jarvis, Long of Chatham, Long of Richmond, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Peck, Pou, Proffitt, Shaver, Smith of Alleghany, Stanton, Strudwick, Sweat, Thompson and Waldrop—29.

A bill to enable the collector of the city of Newbern to collect taxes

Passed second and third readings.

Leave of absence was granted Mr. Sinclair indefinitely.

A bill to authorize the Sheriff of Union county to collect arrears of taxes for 1868 and 1869 was taken up.

Mr. Kelly, of Moore, moved to amend by adding thereto the words "and the tax collector of Moore county."

The amendment was adopted, and

The bill passed its second and third readings.

A bill to exempt school committeemen from labor on highways was taken up.

Mr. Foster moved to lay the bill on the table.

On this motion,

Mr. Foster called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote :

Those who voted in the affirmative were,

Messrs. Armstrong, Carson, Davidson, Downing, Farrow, Ferebee, Foster, French, Gibson, Green, Gunter, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Kelly of Davie, Kinney, Leary, Long of Chatham, Long of Richmond, Mendenhall, Price, Sinclair, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson, Waldrop and Welch—36.

Those who voted in the negative were,

Messrs. Ashworth, Boddie, Cawthorn, Cherry, Eagles, Forkner, Franklin, Harris of Wake, Hawkins, Kelly of Moore, Malone, Mayo, McMillan, Morris, Painter, Pearson, Proctor, Proffitt, Robinson, Seymour, Smith of Alleghany, Stevens, Vest, Whitley and Williams of Sampson—25.

Mr. Kelly, of Davie, introduced

A bill to incorporate the Shoals Manufacturing Company.

Referred to the Committee on Corporations.

Mr. Malone introduced

A resolution of thanks to Hon. Jo. W. Holden, as follows :

Resolved, 1. That the thanks of this House be and they are hereby tendered to the Hon. Joseph W. Holden, late Speaker of this House, for the uniform kindness, forbearance and impartiality in the discharge of his duties as presiding officer of this House.

2. That this resolution be spread upon the Journal of this House.

The resolution was unanimously adopted.

Mr. Morris introduced

A bill for the payment of school committeemen.

Laid over.

A message was received from the Senate transmitting for consideration

A bill to define the jurisdiction in criminal actions of Justices of the Peace, and

A bill to incorporate the Johnston Building and Loan Association;

Also,

A message from the Senate concurring in the proposition to raise a committee of conference on House bill to incorporate the Bank of Statesville, announcing Messrs. Welker and Jones, of Mecklenburg, as the Senate branch of said committee.

The Speaker appointed on the part of the House on said committee, Messrs. Davidson and Mendenhall.

Mr. French moved to reconsider the vote by which a bill to incorporate the Planters and Merchants' Railway Company was indefinitely postponed; when,

On motion of Mr. Leary,

The House adjourned to meet again at nine and a half o'clock, Saturday.

SATURDAY, March 19th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Moore in the Chair.

Prayer by Rev. Mr. Long, of the Senate.

Mr. Mendenhall, from the joint committee of conference on Senate amendments to a bill to charter the Bank of Statesville, reported favorably on the same; and

The report was concurred in.

Mr. Malone introduced

A Resolution in favor of James H. Alford.

Laid over.

Mr. Welch introduced

A Resolution concerning the issue of certificates for *per diem*.

Laid over.

Leave of absence was granted Mr. Hilliard till Wednesday next.

A Senate bill concerning the Guilford mine

Passed second and third readings.

A bill to amend an act to charter the Bank of Cumberland

Passed second and third readings.

A Resolution concerning the issue of certificates of *per diem* was taken up.

Mr. Ames offered

A substitute for the resolution.

Mr. Ferebee moved to lay the whole matter on the table.

On this motion,

Mr. Ferebee called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Bowman, Candler, Carey, Crawford, Farrow, Ferebee, Franklin, Hilliard, Hodnett, Hudgings, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kinney, Laflin, McCanless, Snipes, Sweat and Vestal—20.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Boddie, Carson, Cawthorn, Cherry, Downing, Durham, Forkner, Gahagan, Gatling, Gibson, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hicks, Hodgin, Horney, Ingram, Kelly of Moore, Leary, Long of Richmond, Malone, Mayo, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Price, Proffitt, Ragland, Rea, Robinson, Smith of Alleghany, Smith of Wayne, Stevens, Thompson, Vest, Waldrop, Welch, Williams of Harnett and Williams of Sampson—45.

Mr. Mendenhall moved to amend the original resolution by adding thereto the words:

"*Resolved further*, That the speaker sign no certificate for any member for the last week of the session who is absent without leave."

On this amendment,

Mr. Welch called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Boddie, Carson, Carey, Cawthorn, Crawford, Davidson, Downing, Eagles, Ferebee, Forkner, Gahagan, Gatling, Gibson, Green, Grier, Harris of Franklin, Harris of Wake, Hicks, Hodgin, Hoffman, Horney, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Leary, Long of Richmond, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Proffitt, Ragland, Rea, Robbins, Reynolds, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Thompson, Vestal, Vest, Waldrop, Welch, Whitley, Williams of Harnett and Williams of Sampson—57.

Those who voted in the negative were,

Messrs. Dixon, Farrow and Hodnett—3.

The question recurring on the adoption of the sudstitute offered by Mr. Ames,

The same was rejected.

The resolution, as amended, was then adopted.

Mr. Leary, from the Committee on Corporations, reported

A bill to incorporate the Shoals Manufacturing Company, favorably.

A bill to regulate pilotage at Hatteras and Ocracoke was taken up.

The question being on the adoption of the substitute offered by the select committee of three,

The substitute was adopted under the title of "A bill to amend section 34, chapter 85, of the Revised Code;" and the bill

Passed second and third readings.

Mr. Harris, of Wake, introduced

A bill to amend the law of divorce and alimony.

Laid over.

A bill to amend an act establishing special courts in the city of Wilmington was taken up.

Mr. Price offered two additional sections to the bill to be titled "section 2" and "section 3."

Mr. McMillan moved to lay the bill on the table.

On this motion,

Mr. McMillan called for the yeas and nays.

The call being sustained,

The motion to table prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Boddie, Bowman, Candler, Carson, Carey, Cawthorn, Cherry, Davidson, Durham, Farrow, Ferebee, Forkner, Gahagan, Gatling, Gibson, Green, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hicks, Hilliard, Hodnett, Hoffman, Horney, Ingram, Justice of Rutherford, Kelly of Moore, Leary, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Nicholson, Painter, Pearson, Proffitt, Ragland, Rea, Robbins, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson, Welch, Williams of Harnett and Williams of Sampson—54.

Those who voted in the negative were,

Messrs. Ames, Crawford, Downing, Eagles, Stevens and Vest—6.

A bill to incorporate the Tomotla Iron Manufacturing Company

Passed second and third readings.

A bill to authorize the Commissioners of Hertford county to issue orders

Passed final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Bowman, Candler, Carson, Carey, Cawthorn, Cherry, Crawford, Davidson, Downing, Farrow, Ferebee, Forkner, Franklin, Gahagan, Gatling, Gibson, Green, Grier, Harris of Wake, Hicks, High, Hodgin, Hoffman, Horney, Hudgings, Ingram, Justice of Rutherford,

Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Richmond, McMillan, Mendenhall, Moore of Alamance, Pearson, Proffitt, Robbins, Robinson, Reynolds, Snipes, Stanton, Stevens, Strudwick, Sykes, Thompson, Vestal, Vest, Welch, Williams of Harnett and Williams of Sampson—54.

Those who voted in the negative were,

Messrs. Eagles, Hawkins, Hodnett, Nicholson, Painter, Smith of Alleghany, Smith of Wayne and Sweat—8.

A message was received from the Governor transmitting a communication from the Public Treasurer.

Read and sent to the Senate with a proposition to print.

A Senate bill to incorporate the town of Bakersville

Passed second and third readings.

Mr. Malone, from the Committee on the Judiciary, reported

A Senate bill to enable owners of wet lands to drain them, favorably.

A bill to incorporate the Stith Copper Mining Company

Passed second and third readings.

A motion to reconsider the last vote taken was made and laid on the table.

A resolution in favor of James H. Alford, was

Adopted.

A Senate bill to exempt citizens of Buncombe, Madison and Henderson counties from paying certain tolls was taken up.

Mr. Candler moved to amend by a proviso.

The amendment was adopted, and

The bill passed second and third readings.

A Senate bill to authorize the Commissioners of Bertie county to levy a special tax

Passed final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Armstrong, Ashworth, Bowman, Candler, Carson, Carey, Cawthorn, Crawford, Davidson, Farrow, Ferebee, Forkner, Gahagan, Green, Harris of Franklin, Harris of Wake, High, Hoffman, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Leary,

Long of Richmond, Malone, Mayo, McCanless, Mendenhall, Pearson, Ragland, Robbins, Robinson, Reynolds, Simonds, Snipes, Stanton, Stevens, Vestal, Vest, Waldrop, Wilkie and Williams of Sampson—45.

Those who voted in the negative were,

Messrs. Durham, Eagles, Gibson, Grier, Hawkins, Hicks, Hinnant, Hodnett, Horney, Jarvis, Kelly of Davie, McMillan, Painter, Proffitt, Smith of Alleghany, Smith of Martin, Smith of Wayne, Strudwick, Sweat, Thompson, Welch and Williams of Harnett—22.

A bill in relation to Indian affairs

Passed second and third readings.

A bill to authorize the Commissioners of Richmond county to levy a special tax

Passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Boddie, Bowman, Carson, Carey, Cawthorn, Cherry, Farrow, Ferebee, Forkner, Franklin, Gahagan, Gibson, Green, Grier, Harris of Franklin, Harris of Wake, Hoffman, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, Pearson, Price, Proffitt, Robinson, Reynolds, Snipes, Stanton, Stevens, Sykes, Vestal, Vest, Waldrop and Williams of Sampson—45.

Those who voted in the negative were,

Messrs. Armstrong, Candler, Eagles, Gatling, Hawkins, Hodgin, Horney, Jarvis, McMillan, Mendenhall, Nicholson, Smith of Alleghany, Smith of Wayne, Strudwick, Sweat and Thompson—16.

A resolution in favor of the Secretary of the Senate and Clerk of the House

Passed second and third readings.

Mr. Bowman introduced

A bill to pay the expenses of idiots and lunatics incurred by counties in certain cases

Passed second and third readings.

A bill to incorporate the North Carolina Fertilizing Company

Passed second and third readings.

Mr. Harris, of Wake, moved to take from the table

A bill making wilful abandonment for more than two years a cause for divorce.

On this motion,

Mr. Harris called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnett, Boddie, Candler, Carson, Carey, Cherry, Ferebee, Forkner, Gahagan, Gatling, Gibson, Green, Grier, Harris of Wake, Hicks, Hodgin, Hoffman, Horney, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Moore, Kinney, Long of Richmond, Malone, Mayo, McCanless, Painter, Proffitt, Ragland, Snipes, Stanton, Stevens, Sykes, Thompson, Vest, Wilkie and Williams of Sampson—39.

Those who voted in the negative were,

Messrs. Ames, Armstrong, Eagles, Farrow, Hawkins, Hodnett, Hudgings, Kelly of Davie, Leary, McMillan, Mendenhall, Nicholson, Pearson, Reynolds, Smith of Alleghany, Smith of Martin, Strudwick, Sweat, Waldrop, Welch and Williams of Harnett—21.

The bill was then made special for Tuesday next at seven and a half o'clock, P. M.

A Senate bill to confirm the election of municipal officers in the town of Mocksville

Passed second and third readings.

A bill to lay off and establish a new county by the name of Swain was taken up, when

On motion of Mr. Sweat,

The House adjourned to meet again at nine and a half o'clock, Monday.

MONDAY, March 21, 1870.

The House met pursuant to adjournment,

Mr. Speaker Moore in the Chair.

Prayer by Rev. Dr. Smith, of the House.

Leave of absence was granted Mr. Ellis from and after Saturday next; also to Mr. Hudgings, from and after Wednesday next; to Mr. Farrow, from and after Thursday next.

Mr. Painter introduced

A resolution authorizing the Secretary of State to distribute the Revenue law.

Laid over.

Mr. Hodgin introduced

A bill to authorize the Sheriff of Guilford to collect arrears of taxes.

Laid over.

Mr. Jarvis introduced

A bill to allow the county of Dare to vote in elections for members of Congress in the first congressional district.

Laid over.

A bill to lay off and establish a new county by the name of Swain was taken up.

On the passage of the bill on its final reading,

Mr. Pou called for the yeas and nays.

The call being sustained,

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Barnett, Bowman, Candler, Cawthorn, Davidson, Downing, Durham, Ellis, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Harris of Franklin, Hawkins, Hodnett, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Laflin, Malone, McCanless, Moore of Alamance, Nicholson, Painter, Proffitt, Robbins, Robinson, Smith of Alleghany, Smith of

Wayne, Stevens, Vestal, Vest, Waldrop, Welch and Williams of Sampson—44.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Boddie, Eagles, Forkner, Gunter, High, Hinnant, Hodgin, Jarvis, Kinney, Leary, Long of Richmond, McMillan, Mendenhall, Pou, Price, Reynolds, Smith of Martin, Stanton, Sweat and Thompson—22.

A motion to reconsider the last vote taken was made and laid on the table.

A Senate bill to prevent the sale of the reversionary interest in homestead lands was taken up.

Mr. Hinnant offered a proviso to section first, as follows:

"*Provided*, That the statute of limitations shall not run against any debts owing by the holder of the homestead affected by this act during the existence of his interest in the homestead."

On the adoption of this amendment,

Mr. Vest called for the yeas and nays.

The call being sustained,

The amendment was adopted by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Argo, Armstrong, Boddie, Candler, Cawthorn, Davidson, Downing, Durham, Ellis, Farrow, Ferebee, Forkner, Gatling, Gibson, Green, Harris of Franklin, Harris of Wake, Hawkins, Hinnant, Hodnett, Hoffman, Ingram, Jarvis, Justus of Henderson, Kelly of Davie, Kelly of Moore, Kinney, Leary, Long of Richmond, Malone, Mayo, McCanless, McMillan, Mendenhall, Moore of Alamance, Morrill, Nicholson, Painter, Pou, Price, Proffitt, Ragland, Robbins, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Sykes, Thompson, Vest, Waldrop, Welch and Williams of Sampson—54.

Those who voted in the negative were,

Messrs. Barnett, Carey, Cherry, Crawford, Eagles, Hudgings and Justice of Rutherford—7.

The bill then passed second and third readings.

A Senate bill concerning the town of Lenoir was taken up.

Mr. Malone offered two additional sections to the bill.

The amendments were adopted and

The bill passed second and third readings.

A resolution to provide homes for the homeless was taken up.

Mr. Vest moved to amend by striking out the first resolve thereof.

The amendment was adopted and

The resolution, as amended, was adopted.

Mr. Argo introduced

A bill to empower the Sheriff of Orange county to collect arrears of taxes.

Laid over.

Mr. Malone, from the Judiciary Committee, reported

A bill to amend the law of alimony and divorce, favorably.

A bill for the relief of landholders and laborers

Passed second and third readings.

A motion to reconsider the last vote taken was made and laid on the table.

Mr. Price introduced

A resolution setting apart Wednesday, the 23d, for consideration of private bills.

Laid over.

A bill to lay off and establish a new county by the name of Pamlico

Passed second and third readings.

A motion to reconsider the last vote taken was made and laid on the table.

A Senate bill to repeal the law concerning fences in certain townships was

Laid on the table.

A message was received from the Senate transmitting

Amendments to

Senate bill authorizing the Commissioners of Polk county to levy a special tax.

Amendments concurred in.

Leave of absence was granted Mr. Morrill, from and after this day.

Mr. Harris introduced

A bill for the protection of mechanics and other laborers.

Laid over.

A Senate resolution for the relief of the Sheriff of Warren county

Passed second and third readings.

A Senate bill to protect *bona fide* conveyances of land in certain cases

Passed second and third readings.

A message was received from the Senate transmitting

A substitute for House bill to allow township magistrates to take privy examination of married women.

Amendments not concurred in.

Also,

A message transmitting amendments to

A bill in relation to taking or shooting trout in the waters of the counties west of the Blue Ridge.

Amendments not concurred in.

Mr. Malone introduced

A bill to authorize the Wilmington, Charlotte and Rutherford Railroad Company to construct a branch road.

Referred to the Committee on Corporations.

A message was received from the Senate transmitting

Amendments to a bill to incorporate the North Carolina Sanitary Company.

Amendments concurred in.

Also,

A message transmitting amendments to

A bill to incorporate the Cape Fear Agricultural Association.

Amendments concurred in.

Also,

A message transmitting amendments to

A bill to incorporate the Scotch Fair, in Richmond county.

Amendments concurred in.

Also,

A message transmitting amendments to

A bill to amend the several militia laws of the State.

Amendments concurred in.

A bill to amend an act to provide for holding special terms of the Superior Courts was

Laid on the table.

A bill conferring discretionary powers on County Commissioners in certain cases was

Referred to the Judiciary Committee.

A bill to provide for the registry of chattels and mortgages in the county of Franklin

Passed second and third readings.

A bill to amend chapter 159, section 1, laws of 1868 and 1869.

Passed second and third readings.

A message was received from the Senate transmitting for consideration

A bill to provide for the completion of the Western Division of the Western North Carolina Railroad.

Taken up under suspension of the rules.

Mr. Robinson offered the following amendment to section 1, viz: "Add the names of J. M. Lyle and R. H. Cannon."

Mr. Painter moved to amend the amendment by adding thereto the name of "B. Dickey."

The amendment to the amendment was rejected.

On the adoption of the amendment first offered,

Mr. Robinson called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Boddie, Downing, Durham, Ellis, Ferebee, Gatling, Gibson, Green, Gunter, Hicks, High, Hinnant, Hodgin, Kelly of Davie, McMillan, Moore of Alamance,

Painter, Robinson, Smith of Wayne, Stanton, Stevens, Thompson, Welch and Williams of Sampson—25.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Bowman, Candler, Carey, Cawthorn, Crawford, Davidson, Eagles, Forkner, Foster, Gahagan, Harris of Wake, Hawkins, Hoffman, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kinney, Laflin, Long of Richmond, Mayo, McCanless, Mendenhall, Morrill, Pou, Proffitt, Ragland, Robbins, Reynolds, Smith of Alleghany, Smith of Martin, Snipes, Sykes, Vestal, Vest, Waldrop and Wilkie—40.

Mr. Painter offered a proviso to section first of the bill.

Mr. Robinson offered the following as a substitute for the proviso offered by Mr. Painter, viz:

"*Provided*, That half of the funds realized by this commission shall be expended on the main trunk line leading in the direction of Ducktown."

This amendment was accepted by Mr. Painter.

On the adoption of the amendment,

Mr. Robinson called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Boddie, Durham, Farrow, Ferebee, Gatling, Gibson, Green, Grier, Gunter, Hicks, High, Hodgin, Jarvis, McMillan, Painter, Robinson, Sweat, Thompson and Williams of Sampson—20.

Those who voted in the negative were,

Messrs. Ames, Ashworth, Bowman, Candler, Carey, Cawthorn, Crawford, Davidson, Downing, Eagles, Forkner, Foster, Gahagan, Harris of Wake, Hawkins, Hoffman, Horney, Hudgings, Ingram, Justus of Henderson, Justice of Rutherford, Kinney, Leary, Long of Richmond, Mayo, McCanless, Mendenhall, Morrill, Proffitt, Ragland, Robbins, Reynolds, Smith of Alleghany, Smith of Martin, Smith of Wayne,

Snipes, Stanton, Stevens, Sykes, Vestal, Vest, Waldrop, Welch and Wilkie—44.

On the passage of the bill on its second reading,

Mr. Mendenhall called for the yeas and nays.

The call being sustained,

The bill passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ames, Ashworth, Barnett, Bowman, Candler, Carey, Cawthorn, Crawford, Davidson, Downing, Durham, Eagles, Farrow, Ferebee, Forkner, Foster, Gahagan, Green, Grier, Gunter, Harris of Wake, Hawkins, Hoffman, Horney, Hudgings, Ingram, Jarvis, Justus of Henderson, Justice of Rutherford, Kinney, Laflin, Long of Richmond, Mayo, McCanless, Morrill, Nicholson, Painter, Pou, Proffitt, Ragland, Robbins, Robinson, Reynolds, Smith of Alleghany, Smith of Martin, Smith of Wayne, Stanton, Stevens, Vestal, Vest, Waldrop, Welch, Wilkie and Williams of Sampson—54.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Gatling, Gibson, Hicks, High, Hunnant, Hodgin, McMillan, Mendenhall, Sykes and Thompson—12.

The bill then passed its final reading.

A motion to reconsider the last vote taken was made and laid on the table.

Mr. Robinson introduced

A bill amendatory of an act relative to the Western Turnpike Road.

Laid over.

On motion of Mr. Painter,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

On motion of Mr. Jarvis,

The roll was called and

The following named gentlemen answered to their names:

Messrs. Ames, Ashworth, Boddie, Candler, Carey, Davidson, Durham, Ellis, Ellington, Ferebee, Forkner, Green, Hawkins, Hicks, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Hudgings, Ingram, Jarvis, Kinney, Laflin, Long of Richmond, McCanless, McMillan, Mendenhall, Moore of Chowan, Nicholson, Painter, Pearson, Proctor, Robbins, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Stevens, Thompson, Vestal, Vest and Williams of Sampson—43.

On motion of Mr. Vest,

The House adjourned to meet again at nine and a half o'clock, Tuesday.

TUESDAY, March 22nd, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the Chair.

Prayer by Rev. Dr. Mason, of the city.

Leave of absence was granted Mr. Wilson from and after this day.

Mr. Jarvis offered

A resolution revoking certain leaves of absence.

Laid over.

Mr. Stevens presented

Petitions from the citizens of Craven county.

Referred to the Judiciary and Propositions and Grievances Committees.

Mr. Ferebee introduced

A resolution in favor of the reporters of the *Standard* and *Sentinel.*

Laid over.

A resolution revoking certain leaves of absence was taken up.

Mr. Eagles moved to amend the resolution by adding the following words, "and that any member absenting himself without leave shall receive no *per diem.*"

Mr. Vestal moved to postpone further consideration of the subject till Thursday next.

On this motion,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The motion was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Cherry, Dixon, Foster, Green, Hodnett, Kinney, Long of Richmond, McCanless, Painter, Robbins, Vestal and Vest—12.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Blair, Boddie, Carson, Cawthorn, Durham, Eagles, Farrow, Ferebee, Forkner, Gatling, Gibson, Grier, Gunter, Harris of Franklin, Hawkins, Hicks, High, Hinnant, Hodgin, Hoffman, Hudgings, Ingram, Jarvis, Kelly of Davie, Kelly of Moore, Leary, Malone, Mayo, McMillan, Mendenhall, Moore of Alamance, Nicholson, Price, Proffitt, Ragland, Renfrow, Robinson, Reynolds, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Thompson, Waldrop, Welch and Williams of Sampson—49.

The question recurring on the amendment offered by Mr. Eagles,

The amendment was adopted.

Mr. Justice moved to lay the resolution on the table.

On this motion,

Mr. Jarvis called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Candler, Carey, Downing, Farrow, Grier, Hawkins, High, Hodnett, Hoffman, Hudgings, Justice of Rutherford, Kelly of Moore, Kinney, McCanless, Morrill, Painter, Pearson, Renfrow, Robbins, Simonds, Smith of Alleghany, Vestal, Vest and Waldrop—24.

Those who voted in the negative were,

Messrs. Armstrong, Blair, Boddie, Carson, Cawthorn, Davidson, Ferebee, Forkner, Foster, Gatling, Gibson, Gunter, Harris of Franklin, Harris of Wake, Hicks, Hinnant, Hodgin, Ingram, Jarvis, Kelly of Davie, Leary, Malone, Mayo, McMillan, Mendenhall, Moore of Alamance, Nicholson, Price, Ragland, Reynolds, Smith of Wayne, Stanton, Stevens, Sweat, Sykes, Thompson and Williams of Sampson—37.

The question recurring on the adoption of the resolution,

Mr. Vestal offered the following proviso:

"*Provided*, This is resolution shall not apply to the representative from Burke, Mr. Wilson."

The amendment was adopted.

Mr. Ellis offered a substitute for the whole.

The substitute was rejected.

The resolution as amended was then adopted.

Mr. Harris, of Franklin, introduced

A bill to levy a special tax for the county of Franklin.

Laid over.

Mr. Hinnant moved a reconsideration of the vote by which

A bill to provide for the registry of chattels and mortgages passed its final reading.

The motion prevailed.

Mr. Vestal moved to amend the bill by including "the several counties of the State."

The amendment was adopted, and

The bill passed its final reading.

A message was received from the Senate transmitting for consideration

A bill to incorporate the North Carolina Masonic Temple Association;

A bill to change the county line between Bladen and Columbus;

A bill in relation to a house on Baptist Square, in Raleigh;

A bill to authorize the constable of Wilson to collect arrears of taxes;

A resolution in relation to the removal of political disabilities;

A resolution concerning the Public Treasurer;

A bill to establish a ferry across Pee Dee river;

A bill to amend an act incorporating the Cape Fear and Waccamaw Canal and Lumber Company;

A resolution in favor of W. W. and D. M. Watts;

A bill to incorporate the town of Joyner, Wilson county;

A bill concerning the town of Dallas;

A bill to authorize John A. Taylor to construct a bridge;

A bill to authorize the Commissiorers of Moore county to levy a special tax;

A resolution in relation to printing the laws; and

A bill to authorize the Commissioners of Chatham county to levy a special tax.

The following named bills passed second and third readings under suspension of the rules:

A bill to authorize the Sheriff of Guilford county to collect arrears of taxes;

A Senate bill to incorporate the North Carolina Masonic Temple Association;

A Senate bill to amend an act incorporating the Cape Fear and Waccamaw Canal and Lumber Company;

A bill to incorporate a ferry across Pee Dee river;

A resolution in favor of John Horton, Sheriff of Watauga;

A bill to allow the county of Dare to vote in election for members of Congress in the first Congressional District; and

A bill to amend chapter 42 of the private laws passed at the session of 1868 and 1869.

A bill in relation to the law of alimony and divorce was taken up and

Passed second reading.

A bill to amend section 53, chapter 184, of the public laws of 1868 and 1869, entitled "An act to provide for a system of public instruction," was taken up.

Mr. Downing moved to lay the bill on the table.

On this motion,

Mr. Leary called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Candler, Carson, Davidson, Downing, Durham, Ellis, Farrow, Gatling, Gibson, Green, Grier, Hawkins, Hicks, High, Hinnant, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Malone, McCanless, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Robinson, Smith of Alleghany, Smith of Wayne, Strudwick, Thompson, Vest, Waldrop, Welch and Williams of Sampson—35.

Those who voted in the negative were,

Messrs. Blair, Bowman, Carey, Cawthorn, Cherry, Crawford, Dixon, Eagles, Forkner, Foster, Gahagan, Gunter, Harris of Wake, Hodgin, Hodnett, Hoffman, Horney, Hudgings, Ingram, Kinney, Leary, Long of Richmond, Mayo, McMillan, Morrill, Pearson, Price, Proctor, Ragland, Robbins, Reynolds, Snipes, Stanton, Stevens, Sweat, Sykes and Wilkie—37.

The bill was then referred to the Committee on Education.

A message was received from the Senate transmitting

Amendments to a bill to authorize the Sheriff of Tyrrell county to collect arrears of taxes.

Amendments concurred in.

A Senate bill to incorporate the Raleigh Savings Bank

Passed second and third readings.

A bill to amend the law of alimony and divorce

Passed final reading.

A motion to reconsider the last vote taken was made and laid on the table.

A Senate bill requiring county and township officers to report to the Board of Public Charities

Passed second and third readings.

A bill to amend an act to require the registration of deeds

Passed second and third readings.

A bill in relation to Clay county courts

Passed second and third readings.

A Senate bill to enable owners of wet lands to drain them

Passed second and third readings.

A bill to incorporate the Shoals Manufacturing Company

Passed second and third readings.

A bill to authorize the Wilmington, Charlotte and Rutherford Railroad Company to construct a branch road was taken up.

Mr. Justice offered a proviso to the first section of the bill.

The amendment was adopted and the bill

Passed second and third readings.

A Senate bill to incorporate Edgecombe Lodge, No. 298, A. Y. M.,

Passed second and third readings.

A bill to authorize the Commissioners of Wayne county to collect arrears of taxes for 1867

Passed second and third readings.

Mr. Pou introduced

A bill to amend an act to repeal certain acts passed at the session of 1868 and 1869, making appropriations to railroad companies

Passed second and third readings.

On motion of Mr. Downing,

The House then adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

On motion of Mr. Jarvis,

The roll was called and the following named gentlemen answered to their names:

Messrs. Boddie, Carson, Davidson, Durham, Ferebee, Forkner, Gibson, Green, Grier, Hayes, Hodgin, Horney, Jarvis, Kelly of Davie, Kinney, McCanless, McMillan, Mendenhall, Nicholson, Painter, Pearson, Proctor, Robbins, Stanton, Sweat, Vestal, Vest and Welch—28.

Mr. Welch moved a call of the House.

The motion prevailed.

The roll was called and the following named members answered to their names:

Messrs. Armstrong, Boddie, Carson, Davidson, Durham, Foster, Gibson, Green, Grier, Hayes, High, Hodgin, Hoffman, Horney, Jarvis, Kelly of Davie, Kinney, Long of Richmond, McCanless, McMillan, Mendenhall, Nicholson, Painter, Pearson, Proctor, Robbins, Stanton, Sweat, Vestal, Vest and Welch—31.

On motion of Mr. Painter,

Further proceedings under the call were dispensed with.

A bill for the protection of mechanics and other laborers was

Made special for ten and a half o'clock, Wednesday.

A bill to restore the records of the several courts in the State destroyed by fire or otherwise during the late war

Passed second and third readings.

Mr. Hodgin, from the Committee on Education, reported

A bill to amend section 53, chapter 184, of the public laws of 1868 and 1869, entitled "An act to provide for a system of public instruction," amended, favorably.

A bill to make wilful abandonment for more than two years a cause for divorce from the bonds of matrimony was taken up.

On the passage of the bill on its second reading,

Mr. Mendenhall called for the yeas and nays.

The call being sustained,

The bill failed for want of a quorum by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Cherry, Crawford, Ellis, Ferebee, Green, Harris of Wake, Hinnant, Justice of Rutherford, Kelly of Moore, Kinney, Malone, Mayo, McCanless, Proffitt, Renfrow, Stanton, Stevens, Thompson, Vest, Waldrop, Wilkie and Williams of Sampson—23.

Those who voted in the negative were,

Messrs. Armstrong, Blair, Boddie, Bowman, Davidson, Forkner, Gahagan, Gibson, Gunter, Hawkins, Hayes, Hicks, Hodnett, Hoffman, Horney, Hudgings, Long of Chatham, Long of Richmond, McMillan, Mendenhall, Morrill, Nicholson, Pou, Price, Reynolds, Smith of Alleghany, Snipes and Sweat—28.

On motion of Mr. Sweat,

The House adjourned to meet again at nine and a half o'clock, Wednesday.

WEDNESDAY, March 23rd, 1870.

The House met pursuant to adjournment,

Mr. Speaker Moore in the Chair.

Prayer by Rev. Mr. Eppes, of the Senate.

Mr. Kinney presented

A petition from a portion of the citizens of Davidson county.

Referred to the Committee on Propositions and Grievances.

Mr. Mendenhall, from the Committee on Deaf and Dumb and the Blind Asylum, reported

A resolution in aid of the Institution for the Deaf and Dumb and the Blind, favorably.

Mr. Malone introduced

A bill to amend an act to authorize the erection of a bridge across John's river, in Burke county.

Passed second and third readings.

Leave of absence was granted Mr. Welch from and after the 24th instant.

A message was received from the Superintendent of Public Works in relation to the inadequate supply of stationery for his office.

Referred to a special committee of three, to be appointed, to report a bill this day.

The Speaker appointed as said committee Messrs. Price, Justice and Malone.

A bill making wilful abandonment for more than two years a cause for divorce from matrimony was taken up as unfinished business.

The question being on the passage of the bill on its second reading,

Mr. Leary called for the yeas and nays.

The call being sustained,

The bill failed to pass second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Ellis, Ferebee, Foster, Gatling, Green, Harris of Franklin, Justice of Rutherford, Kelly of Moore, Kinney, Long of Richmond, Malone, Mayo, McCanless, Proctor, Proffitt, Ragland, Renfrow, Robbins, Simonds, Stevens, Thompson, Vest, Waldrop, Welch and Williams of Sampson—32.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Blair, Boddie, Davidson, Durham, Eagles, Forkner, Gahagan, Gibson, Gunter, Hawkins, Hayes, Hicks, High, Hodnett, Horney, Hudgings, Ingram, Kelly of Davie, Leary, Long of Chatham, McMillan, Mendenhall,

Moore of Alamance, Morrill, Nicholson, Pou, Price, Reynolds, Smith of Alleghany, Smith of Wayne, Snipes, Vestal and Williamson—35.

A resolution in aid of the Institution for the Deaf and Dumb and the Blind

Passed second and third readings.

A bill for the protection of mechanics and other laborers, materials, &c., was taken up as the special order.

Mr. Justice moved to amend by striking out lines 14, 15 and 16 of section 5 of the bill.

The amendment was adopted.

Mr. Downing moved to amend by striking out section 3 of the bill.

On this amendment,

Mr. Downing called for the yeas and nays.

The call being sustained,

The amendment was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Carey, Downing, Ellis, Kelly of Davie, Kelly of Moore and Moore of Alamance—6.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Blair, Boddie, Carson, Cawthorn, Cherry, Crawford, Dixon, Durham, Eagles, Forkner, Foster, Gahagan, Gibson, Green, Grier, Gunter, Harris of Franklin, Harris of Wake, Hawkins, Hayes, Hodnett, Hoffman, Hudgings, Justice of Rutherford, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, Mayo, McMillan, Mendenhall, Painter, Pearson, Proctor, Proffitt, Ragland, Renfrow, Robbins, Robinson, Simonds, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Stevens, Sweat, Thompson, Vestal, Vest, Waldrop, Welch, Wilkie, Williams of Sampson and Williamson—57.

The bill then passed second reading.

Mr. Malone moved to amend section 3 by striking out "two hundred," and inserting "fifty;" also by striking out "sixty" and inserting "ninety."

The amendments were adopted, and

The bill passed its final reading.

A bill to authorize the Commissioners of Franklin county to levy a special tax

Passed second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Blair, Carson, Carey, Cawthorn, Cherry, Crawford, Davidson, Dixon, Downing, Ellis, Ferebee, Gahagan, Gunter, Harris of Franklin, Harris of Wake, Hayes, High, Hoffman, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Long of Richmond, Malone, McCanless, Morrill, Pearson, Ragland, Renfrow, Robbins, Simonds, Stanton, Stevens, Vestal, Vest, Waldrop, Wilkie, Williams of Sampson and Williamson—42.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Durham, Eagles, Foster, Gibson, Hawkins, Hicks, Horney, Kelly of Davie, Long of Chatham, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proctor, Smith of Alleghany, Smith of Wayne, Thompson and Welch—21.

A Senate bill to authorize the Commissioners of Halifax county to levy a special tax was taken up.

Mr. Renfrow offered an amendment submitting the provisions of the bill to a vote of the people.

The amendment was adopted, and

The bill passed second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Blair, Carson, Cawthorn, Cherry, Crawford, Davidson, Dixon, Ferebee, Forkner, Gahagan, Harris of Franklin, Harris of Wake, Hayes, Hodgin, Hoffman, Hudgings, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, Malone, Mayo, McCanless, Pearson, Price, Proffitt, Ragland, Renfrow, Robbins, Simonds, Stanton, Stevens, Sweat, Sykes, Vestal, Vest, Waldrop, Williams of Sampson and Williamson—42.

Those who voted in the negative were,

Messrs. Armstrong, Durham, Eagles, Ellis, Foster, Gatling, Gibson, Gunter, Hawkins, High, Hinnant, Horney, Kelly of Davie, McMillan, Mendenhall, Moore of Alamance, Morrill, Nicholson, Painter, Pou, Proctor, Smith of Alleghany, Smith of Wayne, Thompson and Welch—25.

A bill to equalize the expense of keeping up bridges in the several counties

Passed second and third readings.

Mr. Pou introduced

A bill to compel persons to work on public roads.

Laid over.

Also,

A resolution in favor of James D. Todd.

Adopted, under a suspension of the rules.

Mr. Harris, of Wake, introduced

A bill in relation to the banks of the State.

Laid over.

A Senate bill for the relief of the Sheriff of Halifax county

Passed second and third readings.

A bill to authorize the Commissioners of Wilkes county to levy a special tax

Passed final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Blair, Carson, Cawthorn, Cherry, Crawford, Davidson, Dixon, Downing, Ferebee, Forkner, Gahagan, Green, Hoffman, Ingram, Justice of Rutherford, Kelly of Moore, Leary, Long of Richmond, Malone, Pearson, Price, Proffitt, Ragland, Renfrow, Robbins, Simonds, Smith of Alleghany, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Vest, Waldrop and Williams of Sampson—37.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Eagles, Foster, Gatling, Gunter, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Kelly of Davie, Long of Chatham, McMillan, Mendenhall, Moore of Alamance, Morrill, Nicholson, Painter, Pou, Smith of Wayne and Strudwick—24.

A Senate bill to authorize the Commissioners of Gaston county to levy a special tax was

Laid on the table.

A Senate bill to authorize the Commissioners of Anson county to levy a special tax

Passed final reading by the following vote :

Those who voted in the affirmative were,

Messrs. Ashworth, Blair, Carson, Carey, Cawthorn, Cherry, Crawford, Davidson, Dixon, Downing, Farrow, Ferebee, Forkner, Gahagan, Green, Hoffman, Hudgings, Ingram, Kelly of Moore, Leary, Long of Richmond, Malone, Mayo, McCanless, Morrill, Pearson, Robinson, Simonds, Snipes, Stevens, Vestal, Vest and Waldrop—33.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Eagles, Foster, Gatling, Gibson, Grier, Gunter, Hawkins, Hicks, High, Hinnant, Hodgin, Hodnett, Horney, Kelly of Davie, Long of Chatham, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Smith of Alleghany, Smith of Wayne, Stanton, Sykes, Welch and Williams of Sampson—30.

A Senate bill to aid in the construction of the Valley Railroad through the counties of Granville and Person was taken up.

Mr. Hodnett moved to indefinitely postpone the bill.

On this motion,

Mr. Farrow called for the yeas and nays.

The call being sustained,

The motion to indefinitely postpone prevailed by the following vote :

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Blair, Boddie, Carson, Davidson, Durham, Ellis, Farrow, Ferebee, Foster, Gatling, Gibson, Green, Grier, Gunter, Hawkins, Hicks, High, Hinnant, Hodnett, Jarvis, Kelly of Davie, Long of Richmond, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proctor,

Proffitt, Robinson, Smith of Alleghany, Smith of Wayne, Strudwick, Thompson, Waldrop, Welch and Williams of Sampson—40.

Those who voted in the negative were,

Messrs. Barnett, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Gahagan, Harris of Wake, Hayes, Hoffman, Hudgings, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Mayo, McCanless, Price, Renfrow, Robbins, Simonds, Snipes, Stevens, Vestal, Vest and Williamson—29.

A bill to incorporate the Warren Savings Bank in the town of Warrenton, North Carolina,

Passed its second and third readings.

A Senate bill to allow the Sheriff of Burke county to collect arrears of taxes was taken up.

Mr. Ellis moved to amend by striking out "1866."

The amendment was adopted.

Mr. Hicks moved to amend by including "Clay county."

The amendment was adopted, and the bill

Passed second and third readings.

A Senate bill to authorize John A. Taylor to construct a bridge

Passed second and third readings.

A Senate resolution in favor of C. T. Murphy was

Adopted.

A Senate bill to compel persons to work on public roads was taken up.

Mr. Vest moved to lay the bill on the table.

The motion was rejected.

Mr. Justice offered a proviso, as follows:

"*Provided*, That no person shall be required to serve as an overseer of any public road who is over age to work on public roads."

Pending which,

A message was received from the Senate transmitting for consideration

A bill to amend chapter 29 of the laws of 1868 and 1869.

Laid over.

On motion of Mr. Eagles,

The House adjourned to meet again at three and a half o'clock.

AFTERNOON SESSION.

The House met pursuant to adjournment.

A bill to compel persons to work on the public roads was taken up as the unfinished business.

The question recurring on the amendment offered by Mr. Justice,

Mr. Stevens moved to indefinitely postpone the bill.

The motion to indefinitely postpone was rejected.

The question then recurring on the amendment offered by Mr. Justice,

The amendment was adopted.

Mr. Wilkie offered a proviso, viz:

"*Provided*, That this act shall not apply to any person or persons who may furnish a substitute or pay to the overseer of the road one dollar for each day summoned to work the road."

The amendment was adopted.

Mr. Vestal moved to amend by inserting after "fined" the words "not more than five dollars," and by inserting after the word "imprisoned" the words "for not more than five days."

The amendments were adopted.

Mr. Kinney moved to amend by striking out all after the word "misdemeanor."

Mr. Hodgin moved that the bill be referred to a special committee of five to be appointed.

The motion prevailed.

Mr. Harris, of Wake, introduced

A bill for the relief of executors and administrators.

Passed second reading.

The Speaker announced Messrs. Hodgin, Harris of Wake, Malone, Mendenhall and Hayes as special committee of five on bill to compel persons to work on public roads.

A Senate bill to extend the corporate limits of the town of Smithville

Passed second and third readings.

A bill amendatory of an act relative to the Western Turnpike Road

Passed second and third readings.

Leave of absence was granted Mr. Green from and after Thursday next.

A Senate bill to amend chapter 29, of the public laws of 1868 and 1869, was taken up.

Pending which,

On motion of Mr. Welch,

The House adjourned to meet again at nine and a half o'clock, Thursday.

THURSDAY, March 24th, 1870.

The House met pursuant to adjournment,

Mr. Mendenhall in the Chair.

Prayer by Rev. Mr. Morris, of the House.

Mr. Hodgin introduced

A resolution instructing members of Congress from this State in relation to the school fund.

Laid over.

Mr. Ragland introduced

A resolution for the relief of the people.

Laid over.

Mr. Dixon, from the Committee on Claims, reported

A bill in favor of G. W. Thompson, unfavorably;

A bill for the relief of L. Whitaker, favorably;

A resolution in favor of R. S. Ledbetter, unfavorably; and

A resolution in favor of the representatives of J. D. Justice, unfavorably.

Mr. Blair introduced

A resolution in favor of Nichols & Gorman, printers.

Laid over.

Mr. Hodgin, from the select committee to whom was referred

A Senate bill to compel persons to work on public roads,

Reported the same favorably.

Mr. Kelly, of Davie, introduced

A bill to charter a bridge across the South Yadkin river.

Laid over.

Mr. Vest introduced

A bill to extend the time for administrators and executors.

Laid over.

A resolution instructing North Carolina members of Congress in relation to the school fund of this State was

Adopted.

A message was received from the Senate transmitting amendments to

A bill to provide for the collection of taxes by the State and the several counties of the State on property, polls and income.

The amendments were concurred in.

A message was received from the Senate transmitting for consideration

A bill to amend section 199, chapter 4, of the Code of Civil Procedure;

A bill to authorize the Commissioners of Pitt county to levy a special tax;

A bill to authorize the Commissioners of Henderson county to levy a special tax;

A bill concerning foreign Insurance Companies; and

A bill to amend an act relative to the special tax moneys now in the treasury.

A bill to authorize the Commissioners of Franklin county to levy a special tax

Passed final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Blair, Carson, Cawthorn, Cherry, Davidson, Dixon, Ferebee, Forkner, Gahagan, Gatling, Harris of Franklin, Harris of Wake, Hayes, Hoffman, Ingram, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Long of Richmond, Malone, Mayo, McCanless, Morrill, Morris, Pearson, Price, Proffitt, Ragland, Renfrow, Robbins, Reynolds, Simonds, Stanton, Stevens, Sweat, Sykes, Thompson, Vestal, Vest, Waldrop, Williams of Sampson and Williamson—44.

Those who voted in the negative were,

Messrs. Armstrong, Ashworth, Boddie, Candler, Durham, Eagles, Gibson, Grier, Gunter, Hawkins, High, Hodnett, Horney, Long of Chatham, McMillan, Moore of Alamance, Nicholson, Painter, Proctor, Smith of Alleghany, Smith of Wayne and Strudwick—22.

A Senate bill to amend an act in relation to the special tax moneys now in the Treasury

Passed second and third readings.

A resolution in favor of W. H. & R. S. Tucker was

Adopted.

A bill to authorize the Commissioners of Halifax county to levy a special tax

Passed final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Blair, Carson, Cawthorn, Cherry, Dixon, Ferebee, Forkner, Gahagan, Harris of Franklin, Harris of

Wake, Hayes, Hoffman, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Long of Richmond, Malone, Mayo, McCanless, Morrill, Morris, Price, Ragland, Renfrow, Robbins, Reynolds, Simonds, Snipes, Stanton, Stevens, Sweat, Vest, Waldrop, Williams of Sampson and Williamson—36.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Candler, Durham, Ellis, Gatling, Gibson, Grier, Gunter, Hawkins, High, Hodgin, Hodnett, Horney, Long of Chatham, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pou, Proctor, Smith of Wayne, Strudwick and Thompson—25.

A Senate bill to amend chapter 29 of the laws of 1868 and 1869

Passed second and third readings.

A bill to authorize the Commissioners of Chatham county to levy a special tax was

Laid on the table.

A resolution in favor of Nichols & Gorman, printers,

Passed second and third readings.

Mr. Smith, of Martin, from the Committee of Conference on Senate amendments to a bill in relation to shooting or taking trout in the waters west of the Blue Ridge, submitted a report.

The report was adopted.

A Senate bill to authorize the Commissioners of Moore county to levy a special tax

Passed second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Blair, Carson, Cawthorn, Cherry, Davidson, Dixon, Downing, Ferebee, Forkner, Gahagan, Harris of Wake, Hayes, Hoffman, Ingram, Justice of Rutherford, Kelly of Moore, Kinney, Leary, Mayo, McCanless, Morris, Pearson, Proffitt, Ragland, Robbins, Reynolds, Stanton, Stevens, Sweat, Waldrop, Williams of Sampson and Williamson—33.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Boddie, Candler, Durham, Ellis,

Foster, Gatling, Gibson, Grier, Gunter, Hawkins, High, Hodgin, Hodnett, Kelly of Davie, Long of Chatham, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proctor, Smith of Alleghany, Smith of Wayne, Strudwick, Sykes and Thompson—28.

Mr. Price, from the committee to whom was referred a communication from the Superintendent of Public Works, reported

A resolution in favor of the Superintendent of Public Works.

Laid over.

Mr. Argo introduced

A bill in relation to punishments and assaults and batteries when no deadly weapon was used or when no serious injury was inflicted.

Laid over.

Mr. Reynolds introduced

A bill to increase the fees of standard keepers.

Laid over.

Mr. Harris, of Wake, moved a suspension of the rules for the purpose of taking up

A resolution in favor of M. A. Bledsoe.

On this motion,

Mr. Harris, of Wake, called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Boddie, Candler, Cawthorn, Davidson, Dixon, Durham, Ellis, Ferebee, Foster, Gatling, Gibson, Harris of Franklin, Harris of Wake, Hawkins, Hicks, High, Hinnant, Hodgin, Hoffman, Horney, Ingram, Kelly of Davie, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, McCanless, McMillan, Nicholson, Painter, Pou, Price, Proffitt, Ragland, Renfrow, Robbins, Reynolds, Smith of Wayne, Stanton, Strudwick, Sweat, Thompson, Welch, Wilkie, Williams of Sampson and Williamson—50.

Those who voted in the negative were,

Messrs. Crawford, Downing, Hodnett, Leary, Mendenhall, Pearson, Smith of Alleghany, Snipes, Sykes, Vestal and Vest—11.

The question recurring on the passage of the resolution,

Mr. Harris called the previous question.

The question being "Shall the main question be now put?"

Mr. Proctor called for the yeas and nays.

The call being sustained,

The previous question was ordered by the following vote:

Those who voted in the affirmative were:

Messrs. Argo, Armstrong, Ashworth, Barnett, Boddie, Candler, Cawthorn, Dixon, Ferebee, Gatling, Gibson, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hicks, High, Hinnant, Horney, Ingram, Kelly of Davie, Long of Chatham, Long of Richmond, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Price, Proffitt, Ragland, Smith of Alleghany, Smith of Wayne, Snipes, Stanton, Strudwick, Thompson, Vestal, Williams of Sampson and Williamson—41.

Those who voted in the negative were,

Messrs. Blair, Crawford, Eagles, Forkner, Foster, Gahagan, Hodgin, Hoffman, Kelly of Moore, Leary, Mayo, McCanless, Morris, Pearson, Renfrow, Robbins, Reynolds, Stevens, Sweat, Sykes and Vest—21.

The question then being on the passage of the resolution on its second reading,

Mr. Stevens called for the yeas and nays.

The call being sustained,

The resolution passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Barnett, Boddie, Candler, Cawthorn, Davidson, Dixon, Ferebee, Gatling, Gibson, Grier, Harris of Franklin, Harris of Wake, Hawkins, Hicks, High, Hinnant, Hodgin, Horney, Ingram, Kelly of Moore, Long of Chatham, Long of Richmond, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Proffitt, Ragland, Renfrow,

Robinson, Reynolds, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson, Vestal, Welch, Wilkie, Williams of Sampson and Williamson—45.

Those who voted in the negative were,

Messrs. Ashworth, Carson, Carey, Crawford, Downing, Foster, Gahagan, Hoffman, Kelly of Davie, McCanless, Mendenhall, Pearson, Price, Smith of Alleghany, Sykes and Vest—16.

On the passage of the resolution on its final reading,

Mr. Foster moved to amend by inserting the following proviso, viz:

"*Provided*, That the within amount shall be received in full payment for the original claim in favor of M. A. Bledsoe; also, the above mentioned sum shall be in full for all dues, demands, accounts and damages to date, March 24th, 1870. *Provided further*, That the said M. A. Bledsoe shall receipt to the Treasurer in full for all claims he may hold against the State before the foresaid account shall be paid."

The amendment was adopted.

Mr. Stevens moved to lay the resolution on the table.

On this motion,

Mr. Stevens called for the yeas and nays.

The call being sustained,

The motion to table was rejected by the following vote:

Those who voted in the affirmative were,

Messrs. Blair, Carson, Carey, Crawford, Eagles, Forkner, Hayes, Justice of Rutherford, Kelly of Moore, Kinney, Mayo, McCanless, Morrill, Morris, Price, Proctor, Smith of Alleghany, Stevens, Vest and Waldrop—20.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Boddie, Candler, Cawthorn, Davidson, Dixon, Ferebee, Foster, Gahagan, Gatling, Gibson, Harris of Franklin, Harris of Wake, Hawkins, Hicks, High, Hinnant, Hodgin, Horney, Ingram, Kelly of Davie, Leary, Long of Chatham, Long of Richmond,

Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pou, Proffitt, Ragland, Renfrow, Smith of Wayne, Stanton, Strudwick, Sweat, Thompson, Vestal, Wilkie, Williams of Sampson and Williamson—45.

The question recurring on the passage of the resolution on its final reading, as amended,

Mr Harris called for the yeas and nays.

The call being sustained,

The resolution passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Barnett, Boddie, Candler, Cawthorn, Davidson, Dixon, Downing, Ferebee, Foster, Gatling, Gibson, Grier, Gunter, Harris of Franklin, Harris of Wake, Hawkins, High, Hinnant, Hodgin, Horney, Ingram, Kelly of Moore, Kinney, Leary, Long of Chatham, Long of Richmond, Malone, McMillan, Moore of Alamance, Nicholson, Painter, Pearson, Pou, Proffitt, Ragland, Renfrow, Smith of Wayne, Snipes, Stanton, Strudwick, Sweat, Thompson, Vestal, Wilkie, Williams of Sampson and Williamson—49.

Those who voted in the negative were,

Messrs. Cherry, Crawford, Eagles, Forkner, Hayes, Hoffman, Mayo, McCanless, Mendenhall, Price, Simonds, Smith of Alleghany, Stevens, Sykes and Vest—15.

Mr. Leary introduced

A bill to allow the tax collector of the town of Fayetteville to collect arrears of taxes.

Laid over.

Mr. Downing introduced

A resolution to go into an election for State Printer tomorrow at ten and a half o'clock.

Adopted under suspension of the rules.

On motion of Mr. Strudwick,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. Price introduced

A bill to extend the corporate limits of the city of Wilmington and for other purposes.

Passed second and third readings.

A Senate bill to charter the city of Greensboro'

Passed second and third readings.

A Senate bill to charter the Shingleman's Bank of the town of Plymouth

Passed second and third readings.

A bill to allow the tax collector of the town of Fayetteville to collect arrears of taxes

Passed second and third readings.

A bill for the relief of L. Whitaker

Passed second and third readings.

A bill for the relief of executors and administrators

Passed its second and third readings.

A bill to amend chapter 120 of the private laws of 1868 and 1869

Passed its second and third readings.

A bill to increase the fees of standard keepers

Passed its second reading and was

Laid on the table.

A resolution in favor of the reporters of the House was taken up,

Pending which,

On motion of Mr. Sykes,

The House adjourned to meet again at nine and a half o'clock, Friday.

FRIDAY, March 25th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Moore in the Chair.

Leave of absence was granted Mr. Farrow, from and after to-day; also to Mr. Robbins, from and after Saturday; also to Mr. Wilkie, from and after to-day.

Mr. Hodnett asked and obtained leave to record his vote in the negative on the passage of a resolution in favor of M. A. Bledsoe; Mr. Proctor, the same.

A message was received from the Senate concurring in proposition to go into an election for State Printer to-day at ten and a half o'clock.

Mr. Argo introduced

A bill to provide for the trial of causes in which Judges of the Superior Courts are interested.

Laid over.

A Senate resolution in favor of T. W. Taylor

Passed second and third readings.

A bill to amend an act relative to the Western Turnpike Road leading from Asheville to Murphy

Passed second and third readings.

A bill in favor of E. Murrill, sheriff of Onslow county,

Passed second and third readings.

A Senate bill to incorporate the Tarboro' Steet Railway Company

Passed second and third readings.

A bill in relation to punishments of assaults, batteries, &c., where no deadly weapon is used,

Passed second reading.

A message was received from the Senate announcing the readiness of that body to go into an election for State Printer, and stating the names of Messrs. Jo. W. Holden and John Nichols as the nominations made in Senate; also announcing

the names of Messrs. Cook and Jones, of Mecklenburg, as tellers on the part of the Senate.

The House agreed to go into an election at once.

Messrs. Jo. W. Holden and John Nichols were placed in nomination; and Messrs. Durham and Downing were appointed tellers on the part of the House.

The House then proceeded to vote.

The following named gentlemen voted for Mr. Holden:

Messrs. Ashworth, Blair, Carson, Carey, Cawthorn, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Foster, Franklin, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Hinnant, Hodgin, Hoffman, Horney, Justice of Rutherford, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, Mayo, McCanless, Mendenhall, Moore of Chowan, Morrill, Morris, Pearson, Pou, Price, Proctor, Ragland, Renfrow, Robbins, Reynolds, Simonds, Snipes, Stanton, Stevens, Sweat, Sykes, Vest, Waldrop and Williamson—50.

The following named gentlemen voted for Mr. Nichols:

Messrs. Argo, Armstrong, Boddie, Davidson, Durham, Ferebee, Gatling, Gibson, Grier, Hawkins, High, Hodnett, Jarvis, Kelly of Davie, Malone, Moore of Alamance, Nicholson, Painter, Proffitt, Smith of Wayne, Strudwick, Thompson and Williams of Sampson—23.

Mr. Durham, from the House branch of tellers appointed to superintend the election of State Printer, reported that Jo. W. Holden had received a majority of all the votes cast; and

Mr. Holden was declared elected.

A bill in relation to punishment for assault and battery when no deadly weapon is used was taken up on its final reading.

Mr. Morris called for the yeas and nays.

The call being sustained,

The bill passed its final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Blair, Boddie, Carson, Cawthorn, Crawford, Davidson, Dixon, Downing, Durham,

Farrow, Ferebee, Gahagan, Gibson, Graham, Gunter, Hawkins, Hayes, Hicks, High, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Kinney, Long of Chatham, Long of Richmond, McCanless, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Pou, Proctor, Robinson, Simonds, Smith of Wayne, Snipes, Stanton, Stevens, Strudwick, Sykes, Thompson, Vest, Wilkie and Williams of Sampson—53.

Those who voted in the negative were,

Messrs. Eagles, Forkner, Harris of Wake, Malone, Mayo, Morris, Price, Renfrow, Robbins, Reynolds, Sweat, Waldrop and Williamson—13.

Mr. Malone, from the Committee of Conference on amendments to a bill in favor of the Sheriff of Burke county, submitted a report.

The report was concurred in.

A Senate bill to incorporate the town of Joyner, Wilson county,

Passed second and third readings.

A Senate bill to authorize the constable of the town of Wilson to collect arrears of taxes

Passed second and third readings.

A bill for the relief of E. G. Hill, Sheriff of Johnston county,

Passed second and third readings, amended by including "the Sheriff of Rutherford county."

A resolution in favor of the Superintendent of Public Works was taken up and

Laid on the table.

A bill to authorize the exchange of certain bonds issued to the Wilmington, Charlotte and Rutherford Railroad was taken up.

Mr. Proctor moved to lay the bill on the table.

The motion prevailed.

Mr. Downing introduced

A resolution to rescind the resolution to adjourn *sine die* on the 28th instant.

Taken up, under suspension of the rules.

Mr. Durham moved to indefinitely postpone the resolution.

On this motion,

Mr. Durham called for the yeas and nays.

The call being sustained,

The motion prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Ashworth, Blair, Boddie, Carson, Carey, Cawthorn, Cherry, Davidson, Durham, Eagles, Ferebee, Forkner, Foster, Franklin, Gahagan, Gatling, Gibson, Grier, Gunter, Harris of Wake, Hawkins, Hicks, Hinnant, Hodgin, Hodnett, Hoffman, Horney, Justice of Rutherford, Kelly of Davie, Kinney, Long of Chatham, Long of Richmond, Malone, McCanless, Mendenhall, Moore of Alamance, Morris, Nicholson, Painter, Pearson, Pou, Price, Proctor, Proffitt, Robbins, Robinson, Simonds, Smith of Wayne, Snipes, Stanton, Stevens, Strudwick, Thompson, Vest, Waldrop, Williams of Sampson and Williamson—58.

Those who voted in the negative were,

Messrs. Argo, Hayes and Reynolds—3.

A bill to extend the time for administrators and executors to settle

Passed second and third readings.

A Senate bill to authorize the commissioners of Moore county to levy a special tax

Passed final reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Carson, Carey, Cawthorn, Cherry, Davidson, Dixon, Ferebee, Forkner, Franklin, Gahagan, Graham, Gunter, Harris of Franklin, Harris of Wake, Hayes, Hoffman, Justice of Rutherford, Kelly of Moore, Kinney, Long of Richmond, Malone, Mayo, McCanless, Morris, Pearson, Proffitt, Renfrow, Robinson, Reynolds, Simonds, Snipes, Stanton, Stevens, Sykes, Vest, Wilkie, Williams of Sampson and Williamson—38.

Those who voted in the negative were,

Messrs. Argo, Armstrong, Blair, Boddie, Durham, Foster, Gibson, Grier, Hawkins, Hicks, Hinnant, Hodgin, Horney, Kelly of Davie, Long of Chatham, Mendenhall, Nicholson, Painter, Pou, Proctor, Strudwick and Thompson—22.

A Senate bill in relation to Foreign Insurance Companies

Passed second reading and was

Laid on the table.

On motion of Mr. Leary,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

A resolution in favor of James H. Alford and John C. Syme

Passed second and third readings.

A bill to charter a bridge across South Yadkin river

Passed second and third readings.

A bill to exempt the organized fire companies of Wilmington from coroner's inquest and jury trial duty

Passed second and third readings.

A Senate bill to authorize Mary Jane Tyson to build a bridge across Deep river

Passed second and third readings.

A Senate bill to incorporate the Cagle Mining and Manufacturing Company

Passed second and third readings.

A message was received from the Senate transmitting amendments to "A bill to raise Revenue."

Mr. Hayes moved that the House do not concur in Senate amendments.

On this motion

Mr. Hayes called for the yeas and nays.

The call being sustained,

The motion to non-concur prevailed by the following vote:

Those who voted in the affirmative were,

Messrs. Armstrong, Boddie, Cawthorn, Cherry, Dixon, Durham, Ferebee, Franklin, Gibson, Graham, Gunter, Harris of Wake, Hawkins, Hayes, Hicks, High, Hinnant, Hodnett, Kelly of Davie, Kelly of Moore, Leary, Long of Chatham, McCanless, Moore of Alamance, Nicholson, Painter, Proffitt, Smith of Wayne, Snipes, Stanton, Stevens, Strudwick, Sykes, Thompson, Wilkie and Williams of Sampson—36.

Those who voted in the negative were,

Messrs. Ashworth, Barnett, Blair, Carson, Carey, Davidson, Forkner, Foster, Gahagan, Hodgin, Hoffman, Horney, Justice of Rutherford, Kinney, Long of Richmond, Mayo, Mendenhall, Morrill, Morris, Pearson, Proctor, Renfrow, Robbins, Sweat, Vest and Williamson—26.

A message was received from the Senate transmitting amendments to

A bill to amend the law of alimony and divorce.

The amendment was concurred in.

A Senate bill to authorize the commissioners of Harnett county to levy a special tax was

Laid on the table.

A message was received from the Senate transmitting for consideration

A bill in relation to Home Insurance Companies.

A message was received from the Senate refusing to recede from their amendments to "A bill to raise Revenue," and proposing a committee of conference on the same, to consist of two on the part of the Senate and five on the part of the House, and announcing Messrs. Welker and Graham as the Senate branch of said committee.

The House concurred in the proposition to raise a committee of conference, and Messrs. Hinnant, Leary, Strudwick, Hayes

and Hodgin were appointed to constitute House branch of said committee, and the Senate was so informed.

Mr. Hinnant, from the committee of conference on Senate amendments to "A bill to raise Revenue," reported.

The reported was adopted.

A Senate bill to authorize the Commissioners of Henderson county to issue bonds

Passed its second reading by the following vote:

Those who voted in the affirmative were,

Messrs. Ashworth, Barnett, Blair, Carson, Carey, Cawthorn, Cherry, Davidson, Dixon, Forkner, Foster, Franklin, Gahagan, Graham, Harris of Wake, Hoffman, Horney, Justice of Rutherford, Kelly of Moore, Kinney, Long of Richmond, Mayo, McCanless, Morris, Pearson, Pou, Price, Proffitt, Robbins, Snipes, Stevens, Vest and Williams of Sampson—33.

Those who voted in the negative were,

Messrs. Armstrong, Boddie, Durham, Ferebee, Gibson, Gunter, Hawkins, Hayes, Hicks, High, Hinnant, Hodgin, Kelly of Davie, Leary, Long of Chatham, Mendenhall, Moore of Alamance, Nicholson, Painter, Proctor, Renfrow, Smith of Wayne, Stanton, Strudwick, Sweat, Sykes, Thompson and Williamson—28.

A bill in relation to the banks of the State

Passed second and third readings.

On motion of Mr. Blair,

The House adjourned to meet again at nine and a half o'clock, Saturday.

SATURDAY, March 26th, 1870.

The House met pursuant to adjournment,

Mr. Speaker Moore in the Chair.

Prayer by Rev. Mr. Long, of the Senate.

A Senate bill in relation to Home Insurance Companies

Passed second and third readings.

A Senate bill to prevent the felling of obstructions in Mud creek, in Henderson county,

Passed second and third readings.

A message was received from the Senate transmitting for consideration

A bill to incorporate Widow's Son Lodge.

A bill to incorporate Giblum Lodge, of Wilmington

Passed its second and third readings.

Mr. Painter introduced

A resolution of instruction to the Secretary of State.

Adopted under suspension of the rules.

A Senate bill to incorporate Widow's Son Lodge

Passed its second and third readings.

A Senate bill concerning the town of Dallas

Passed its second and third readings.

A Senate bill concerning Foreign Insurance Companies

Passed its final reading. (A motion to take the same from the table having been made and carried.)

A bill to empower the Sheriff of Orange county to collect arrears of taxes

Passed second and third readings.

A message was received from the Senate transmitting for consideration

A bill to establish a public road and a ferry in the counties of Rowan and Davidson.

Laid on the table under suspension of the rules.

A Senate bill to incorporate Oak City Council of Raleigh

Passed second and third readings.

A Senate bill in relation to taking shad and herring from the waters of Neuse river and Contentnea creek was

Laid on the table.

A message was received from the Senate transmitting for consideration

A bill to authorize the Sheriffs of Wake and Perquimans counties to collect arrears of taxes.

Passed second and third readings.

Also,

A resolution to compensate the Senate Investigating Committee composed of Messrs. Bragg, Phillips and Scott.

The House concurred in Senate amendments to

A bill to allow township magistrates to take privy examination of married women.

A Senate resolution to compensate the Senate investigation committee consisting of Messrs. Bragg, Phillips and Scott

Passed second and third readings.

A message was received from the Senate transmitting amendments to

A bill to authorize the Wilmington, Charlotte and Rutherford Railroad Company to construct a branch road in the direction of East Tennessee, &c.

Amendments concurred in.

A Senate bill in relation to a House on Baptist Square in the city of Raleigh

Passed second and third readings.

The House concurred in Senate amendments to

A bill to incorporate the Onslow Branch of the Wilmington and Weldon Railroad Company.

A Senate bill to establish days and places of selling real property under execution

Passed second and third readings.

A Senate bill in relation to drawing seins in Tar river

Passed second and third readings.

A Senate bill to amend certain sections of chapter 270 of the public laws of 1868 and 1869

Passed second and third readings.

A Senate bill to compel persons to work on public roads, as amended, was taken up and

Passed second reading.

On the passage of the bill on its final reading,

Mr. Harris, of Wake, called for the yeas and nays.

The call being sustained,

The bill failed to pass its final reading by the following vote :

Those who voted in the affirmative were,

Messrs. Argo, Armstrong, Ashworth, Boddie, Davidson, Durham, Ferebee, Foster, Gatling, Gibson, Grier, Hinnant, Hoffman, Ingram, Jarvis, Justice of Rutherford, Kelly of Davie, Kelly of Moore, Long of Chatham, McMillan, Mendenhall, Moore of Alamance, Nicholson, Painter, Pearson, Pou, Proffitt, Robinson, Smith of Wayne, Stanton, Strudwick, Thompson and Williams of Sampson—33.

Those who voted in the negative were,

Messrs. Barnett, Blair, Carson, Carey, Cherry, Crawford, Dixon, Downing, Eagles, Forkner, Gahagan, Graham, Gunter, Harris of Wake, Hayes, Horney, Kinney, Leary, Long of Richmond, Mayo, McCanless, Morrill, Morris, Price, Proctor, Reynolds, Seymour, Siegrist, Simonds, Snipes, Stevens, Sweat, Sykes, Vest and Waldrop—35.

A Senate bill in relation to probate of deeds of non-residents

Passed second and third readings.

On motion of Mr. Proctor,

The House adjourned to meet again at seven and a half o'clock, P. M.

EVENING SESSION.

The House met pursuant to adjournment.

A resolution to allow the Engrossing Clerk *per diem* due on last session was

Adopted.

A bill to allow John L. Wood, Sheriff of Pasquotank, to collect arrears of taxes was taken up.

Mr. Siegrist moved to amend by inserting the Sheriff of Wilkes county.

The amendment was adopted and

The bill as amended

Passed second and third readings.

A Senate bill to amend section 199, chapter 4, of the Code of Civil Procedure

Passed second and third readings.

A Senate bill in relation to execution of process in which the Sheriff is interested

Passed second and third readings.

A bill to amend section 283, title XII, of the Code of Civil Procedure

Passed second and third readings.

A Senate bill to amend an act concerning the settlement of the estates of deceased persons

Passed second and third readings.

A Senate bill to amend chapter 3 of chapter 93 of the acts of 1868 and 1869

Passed second and third readings.

A Senate bill to amend chapter 90 of the laws of 1868 and 1869

Passed second and third readings.

A Senate bill to amend chapter 21 of the Revised Code

Passed second and third readings.

A Senate bill to incorporate the North Carolina Beneficial Association

Passed second and third readings.

A resolution in favor of the Assitant Engrossing Clerk of the House was

Adopted.

A Senate bill to protect the rights of citizens traveling in public conveyances was

Laid on the table.

A Senate bill to amend chapter 75 of the Revised Code
Failed to pass second reading.
A Senate bill to repeal section 8, chapter 41, of an ordinance of the Convention of 1868,
Passed second and third reading.
On motion of Mr. Malone,
The House adjourned to meet again at ten and a half o'clock Monday.

MONDAY, March 28, 1870.

The House met according to adjournment,
Mr. Speaker Moore in the Chair.
Prayer by Rev. Mr. Welker, of the Senate.
Mr. French introduced
A resolution instructing the Secretary of State.
Adopted under suspension of the rules.
Mr. Leary introduced
A bill to incorporate the Fayetteville Beneficial Association, of Cumberland county,
Passed second and third readings.
Mr. Harris introduced
A resolution in favor of Wm. Hardie and Thomas Austin.
Adopted under suspension of the rules.
Mr. Strudwick introduced the following resolution, viz:

"*Resolved*, That the thanks of this House are hereby tendered Mr. John H. Boner, Clerk of the House, for the efficient and impartial manner in which he has discharged his duties."

Unanimously adopted.
Mr. Harris, of Wake, introduced
A resolution of thanks to Mr. J. E. O'Hara.
And

Mr. Price,

A resolution of thanks to Mr. T. J. Candler.

Both resolutions adopted under suspension of the rules.

Mr. Malone introduced

A resolution tendering thanks to Hon. W. A. Moore, as Speaker of the House, for the ability, faithfulness and impartiality with which he has discharged the duties of his office.

The resolution was unanimously adopted.

Mr. Reynolds introduced

A resolution of thanks to the Doorkeepers of the House.

Adopted under suspension of the rules.

Mr. Speaker Moore then addressed the House, as follows:

MEMBERS OF THE HOUSE OF REPRESENTATIVES:

The hour of our separation has arrived. We return, each of us, to our respective constituencies to give an account of our stewardship, to be approved or condemned as we have here advanced or retarded the prosperity of the State.

We shall not all meet again as legislators. Let us, therefore, consecrate this hour to friendship. Forgetting all differences, let us recall pleasant memories of the past and indulge in happy and cheerful hopes for the future.

Elected to fill an unexpired term, I have been associated with you only a few short months, but they are among the most pleasant of my life. Your kindness and courtesy I shall ever remember—I have nothing to forget—nothing to forgive.

While on the floor I enjoyed the amenities of debate, and as your presiding officer have always received encouragement and magnanimous support.

Our thanks are due to the officers of the House, but especially to the enrolling and engrossing committees and their subordinates for the very able manner in which they have discharged their duties—duties laborious and painful, but of the first importance in securing accuracy of legislation.

Gentlemen, there is one subject to which I would call your

particular attention. An exciting canvass is about to commence, and the duty devolves on you, as the leading men of the State, to shape its course and give it tone. There has been in the past too much bitterness and acrimony in discussions on the hustings. This is all wrong. It can do no good, but much harm. It is universally remarked that the social relations of members of this General Assembly are more agreable than those of any former Legislature, and I am happy to believe this is true. Let us continue to be moderate in all all things—radical in nothing.

The complimentary resolutions just adopted fill with gratitude the inmost recesses of my soul.

On your return home may you meet smiling faces and happy hearthstones. God bless you—one and all. Farewell.

The hour of twelve having arrived,
The House adjourned *sine die*.

JOHN H. BONER,
Clerk.

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